1	State of Arkansas	As Engrossed:	H3/3/15		
2	90th General Assembly				
3	Regular Session, 2015 HJR 101.				
4					
5	By: Representative Dotson				
6					
7	HOUSE JOINT RESOLUTION				
8	AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO ALLOW				
9	THE GENERAL ASSEMBLY TO DETERMINE BY LAW WHETHER				
10	SUPREME COURT JUSTICES, COURT OF APPEALS JUDGES,				
11	CIRCUIT COURT JUDGES, DISTRICT COURT JUDGES, AND				
12	PROSECUTING ATTORNEYS ARE SELECTED ON A PARTISAN OR				
13	NONPARTISAI	N BASIS.			
14					
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16		Subtit	le		
17		ISTITUTIONAL AMENDME			
18	ELECTION OF JUDICIAL DEPARTMENT				
19	OFFIC	CIALS.			
20					
21					
22	BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL				
23	ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL				
24	MEMBERS ELECTED TO EACH	H HOUSE AGREEING TH	ERETO:		
25					
26	That the following is proposed as an amendment to the Constitution of				
27	the State of Arkansas, and upon being submitted to the electors of the state				
28		for approval or rejection at the next general election for Representatives			
29	and Senators, if a majority of the electors voting thereon at the election				
30	adopt the amendment, the amendment shall become a part of the Constitution of				
31	the State of Arkansas,	to wit:			
32					
33			80 to the Arkansas Constitution is		
34	amended to read as follows:				
35		of circuit and dist			
36	(A) Circuit Judg	ges and District Ju	dges shall be elected <del>on a</del>		



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1	nonpartisan basis by a majority of qualified electors voting for such office
2	within the circuit or district which they serve.
3	(B) Vacancies in these offices shall be filled as provided by this
4	Constitution.
5	
6	SECTION 2. Section 18 of Amendment 80 to the Arkansas Constitution is
7	amended to read as follows:
8	§ 18. Election of Supreme Court Justices and Court of Appeals Judges.
9	(A) Supreme Court Justices and Court of Appeals Judges shall be
10	elected <del>on a nonpartisan basis</del> by a majority of qualified electors voting for
11	such office. Provided, however, the General Assembly may refer the issue of
12	merit selection of members of the Supreme Court and the Court of Appeals to a
13	vote of the people at any general election. If the voters approve a merit
14	selection system, the General Assembly shall enact laws to create a judicial
15	nominating commission for the purpose of nominating candidates for merit
16	selection to the Supreme Court and Court of Appeals.
17	(B) Vacancies in these offices shall be filled by appointment of the
18	Governor, unless the voters provide otherwise in a system of merit selection.
19	
20	SECTION 3. (a) Except as provided in subsection (b) of this section,
21	the General Assembly may provide by law whether justices of the Supreme
22	Court, judges of the Court of Appeals, circuit court judges, district court
23	judges, and prosecuting attorneys are selected on a partisan or nonpartisan
24	<u>basis.</u>
25	(b) As of the effective date of this amendment, justices of the
26	Supreme Court, judges of the Court of Appeals, circuit court judges, district
27	court judges, and prosecuting attorneys shall be selected on a partisan basis
28	unless the General Assembly provides by law that the offices shall be
29	selected on a nonpartisan basis.
30	
31	SECTION 4. Justices of the Supreme Court, judges of the Court of
32	Appeals, circuit court judges, district court judges, and prosecuting
33	attorneys in office at the time this amendment takes effect shall continue in
34	office until the end of the terms for which they were elected or appointed.
35	
36	SECTION 5. EFFECTIVE DATE. This amendment is effective on and after

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2       SECTION 6. BALLOT TITLE AND POPULAR NAME. When this proposed         3       amendment is submitted to the electors of this state on the general election         5       ballot:         6       (1) The title of the House Joint Resolution shall be the ballot         7       title; and         8       (2) The popular name shall be "Amending the Arkansas         9       Constitution to Allow the General Assembly to Determine Whether Judicial         10       Department Officials are Selected on a Partisan or Nonpartisan Basis.         11       /s/Dotson         12       /s/Dotson         13       14         15       15         16       19         17       19         18       19         19       10         10       10         11       10         12       /s/Dotson         13       11         14       12         15       13         16       14         17       14         18       14         19       14         10       14         11       15         12       14         13	1	January 1, 2017.
4       amendment is submitted to the electors of this state on the general election         5       ballot:         6       (1) The title of the House Joint Resolution shall be the ballot         7       title; and         8       (2) The popular name shall be "Amending the Arkansas         9       Constitution to Allow the General Assembly to Determine Whether Judicial         0       pepartment Officials are Selected on a Partisan or Nonpartisan Basis.         10       /s/Dotson         13       /s/Dotson         14	2	
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