

**Stricken language would be deleted from and underlined language would be added to the Arkansas  
Constitution.**

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

HJR 1004

4  
5 By: Representative Leding

**HOUSE JOINT RESOLUTION**

8 AN AMENDMENT TO ARKANSAS CONSTITUTION CONCERNING THE  
9 PROCEDURES FOR FILING AND CHALLENGING PETITIONS UNDER  
10 ARKANSAS CONSTITUTION, ARTICLE 5, SECTION 1;  
11 PROVIDING THAT AN INITIATIVE PETITION FOR A STATE-  
12 WIDE MEASURE SHALL BE FILED WITH THE SECRETARY OF  
13 STATE AT LEAST ONE HUNDRED FIFTY DAYS BEFORE THE  
14 ELECTION AT WHICH THE MEASURE WILL BE VOTED UPON;  
15 PROVIDING THAT A CHALLENGE TO SUFFICIENCY OF THE  
16 BALLOT TITLE OF A PETITION SHALL BE MADE NO LATER  
17 THAN THIRTY DAYS AFTER THE APPROVAL OF THE BALLOT  
18 TITLE; AND PROVIDING THAT A CHALLENGE TO THE  
19 SUFFICIENCY OF PETITION SIGNATURES SHALL BE MADE NO  
20 LATER THAN THIRTY (30) DAYS AFTER THE PETITION IS  
21 CERTIFIED FOR THE BALLOT.

**Subtitle**

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25 AN AMENDMENT TO ARKANSAS CONSTITUTION,  
26 ARTICLE 5, SECTION 1, CONCERNING THE  
27 FILING OF INITIATIVE PETITIONS AND THE  
28 PROCESS FOR CHALLENGING THE SUFFICIENCY  
29 OF A PETITION.

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32 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL  
33 ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL  
34 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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36 That the following is proposed as an amendment to the Constitution of



1 the State of Arkansas, and upon being submitted to the electors of the state  
 2 for approval or rejection at the next general election for Representatives  
 3 and Senators, if a majority of the electors voting thereon at the election  
 4 adopt the amendment, the amendment shall become a part of the Constitution of  
 5 the State of Arkansas, to wit:

6  
 7 SECTION 1. The subsection of Arkansas Constitution, Article 5, § 1,  
 8 titled "Initiative" is amended to read as follows:

9 Initiative. The first power reserved by the people is the initiative.  
 10 ~~Eight per cent~~ percent (8%) of the legal voters may propose any law and ten  
 11 ~~per cent~~ percent (10%) may propose a constitutional amendment by initiative  
 12 petition and every such petition shall include the full text of the measure  
 13 so proposed. Initiative petitions for state-wide measures shall be filed  
 14 with the Secretary of State not less than ~~four months~~ one hundred fifty (150)  
 15 days before the election at which they are to be voted upon; provided, that  
 16 at least thirty (30) days before the aforementioned filing, the proposed  
 17 measure shall have been published once, at the expense of the petitioners, in  
 18 some paper of general circulation.

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 20 SECTION 2. The subsection of Arkansas Constitution, Article 5, § 1,  
 21 titled "Court Decisions" is amended to read as follows:

22 Court Decisions. (a)(1) A challenge to the sufficiency of the ballot  
 23 title of a petition shall be made no later than thirty (30) days after the  
 24 approval of the ballot title required by law.

25 (2) A challenge to the sufficiency of petition signatures shall  
 26 be made no later than thirty (30) days after the petition is certified for  
 27 the ballot.

28 (b) If the sufficiency of any petition is challenged such cause shall  
 29 be a preference cause and shall be tried at once, but the failure of the  
 30 courts to decide prior to the printing of ballots for the election as to the  
 31 sufficiency of any such petition, shall not prevent the question from being  
 32 placed upon the ballot at the election named in such petition, nor militate  
 33 against the validity of such measure, if it shall have been approved by a  
 34 vote of the people.

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 36 SECTION 3. BALLOT TITLE AND POPULAR NAME. When this proposed

1 amendment is submitted to the electors of this state on the general election  
2 ballot:

3 (1) The title of this joint resolution shall be the ballot  
4 title; and

5 (2) The popular name shall be "An Amendment to Arkansas  
6 Constitution, Article 5, Section 1, Concerning the Filing of Initiative  
7 Petitions and the Process for Challenging the Sufficiency of a Petition".

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