

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

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

HJR 1022

4
5 By: Representatives Capp, Gazaway, Vaught
6 By: Senator G. Stubblefield

HOUSE JOINT RESOLUTION

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9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PERMIT
10 LIMITS ON AWARDS OF PUNITIVE DAMAGES IN CIVIL
11 ACTIONS.

Subtitle

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15 A CONSTITUTIONAL AMENDMENT PERMITTING
16 LIMITS ON AWARDS OF PUNITIVE DAMAGES.

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19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL
20 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL
21 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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23 THAT the following is proposed as an amendment to the Constitution of
24 the State of Arkansas, and upon being submitted to the electors of the state
25 for approval or rejection at the next general election for Representatives
26 and Senators, if a majority of the electors voting thereon at the election
27 adopt the amendment, the amendment shall become a part of the Constitution of
28 the State of Arkansas, to wit:

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30 SECTION 1. Arkansas Constitution, Article 5, § 32, is amended to read
31 as follows:

32 § 32. Workmen's Compensation Laws – Actions for personal injuries.

33 (a) The General Assembly shall have power to enact laws prescribing
34 the amount of compensation to be paid by employers for injuries to or death
35 of employees, and to whom said payment shall be made. It shall have power to
36 provide the means, methods, and forum for adjudicating claims arising under



1 said laws, and for securing payment of same.

2 (b) The General Assembly may enact laws limiting the amount of
3 punitive damages that may be awarded for each claimant in actions for
4 injuries resulting in death or for injuries to persons or property, including
5 without limitation medical injuries.

6 (c) Provided, that otherwise no law shall be enacted limiting the
7 amount to be recovered for injuries resulting in death or for injuries to
8 persons or property; and in case of death from such injuries the right of
9 action shall survive, and the General Assembly shall prescribe for whose
10 benefit such action shall be prosecuted.

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12 SECTION 2. BALLOT TITLE AND POPULAR NAME. When this proposed
13 amendment is submitted to the electors of this state on the general election
14 ballot:

15 (1) The popular name for this proposed amendment shall be "An
16 Amendment to the Arkansas Constitution Concerning Limits on Awards of
17 Punitive Damages in Civil Actions"; and

18 (2) The ballot title for this proposed amendment shall be "An
19 Amendment to the Arkansas Constitution Providing that the General Assembly
20 May Enact Laws Limiting the Amount of Punitive Damages that May Be Awarded in
21 Actions for Injuries Resulting in Death or for Injuries to Persons or
22 Property".

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