

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 376

5 By: Senator Rapert
6 By: Representative Gazaway
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING ACTS OF THE
10 GENERAL ASSEMBLY AMENDING THE ARKANSAS CONSTITUTION;
11 TO AMEND THE ARKANSAS CONSTITUTION UNDER THE
12 AUTHORITY OF ARKANSAS, CONSTITUTION, ARTICLE 19, §§
13 28-31, ARKANSAS CONSTITUTION, AMENDMENT 89, § 11, AND
14 ARKANSAS CONSTITUTION, AMENDMENT 98, § 23; TO DECLARE
15 AN EMERGENCY; AND FOR OTHER PURPOSES.
16
17

Subtitle

18 TO AMEND ARKANSAS LAW CONCERNING ACTS OF
19 THE GENERAL ASSEMBLY AMENDING THE
20 ARKANSAS CONSTITUTION; TO AMEND
21 PROVISIONS OF THE ARKANSAS CONSTITUTION;
22 AND TO DECLARE AN EMERGENCY.
23
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Pursuant to the authority under Arkansas Constitution,
29 Article 19, § 28(e), Arkansas Constitution, Article 19, § 28(e), concerning
30 contributions accepted by candidates for public office, is amended to read as
31 follows:

32 (e)(1)(A) Except as provided in subdivision ~~(e)(2)~~(e)(1)(B) of this
33 section, the General Assembly, in the same manner as required for amendment
34 of laws initiated by the people, may amend this section so long as such
35 amendments are germane to this section and consistent with its policy and
36 purposes.



1 ~~(2)(B)~~ The General Assembly may amend subsection (d) of
2 this section by a majority vote of each house.

3 (2)(A) If an act of the General Assembly amends this section,
4 the Arkansas Code Revision Commission may, by a majority vote of the Arkansas
5 Code Revision Commission, make the following revisions to the act so long as
6 the revisions do not change the substance or meaning of the act:

7 (i) Correct the spelling of words;

8 (ii) Change capitalization for the purpose of
9 uniformity;

10 (iii) Correct manifest typographical and grammatical
11 errors;

12 (iv) Correct manifest errors in references to laws
13 and other documents;

14 (v) Correct manifest errors in internal reference
15 numbers;

16 (vi) Number, renumber, redesignate, and rearrange
17 this section;

18 (vii) Change internal reference numbers to agree
19 with renumbered sections, subsections, subdivisions, or other provisions of
20 law;

21 (viii) Insert or delete hyphens in words to follow
22 correct grammatical usage;

23 (ix) Change numerals or symbols to words or vice
24 versa and add figures or words if they are merely repetitions of written
25 words or vice versa for purposes of uniformity and style;

26 (x) Change the form of nouns, pronouns, and verbs
27 for purposes of style and grammar;

28 (xi) Correct punctuation; and

29 (xii) Change gender-specific language to gender-
30 neutral language.

31 (B)(i) If more than one (1) act amending this section is
32 enacted by the General Assembly during the same session, the Arkansas Code
33 Revision Commission may, by a majority vote of the Arkansas Code Revision
34 Commission, revise this section as necessary so that all of the enactments
35 shall be given effect, including without limitation renumbering,
36 redesignating, and rearranging subsections and subdivisions of this section.

1 (ii) In the event that one (1) or more acts amending
 2 this section result in an irreconcilable conflict with one (1) or more other
 3 acts amending this section enacted during the same session, the Arkansas Code
 4 Revision Commission may, by a majority vote of the Arkansas Code Revision
 5 Commission, revise this section so that the conflicting provision of the last
 6 enactment prevails.

7 (3) If the Arkansas Code Revision Commission makes revisions
 8 under subdivision (e)(2) of this section, the Arkansas Code Revision
 9 Commission shall file a report with the Speaker of the House of
 10 Representatives, the President Pro Tempore of the Senate, and the Governor
 11 that:

12 (A) Explains the revisions made under subdivision (e)(2)
 13 of this section; and

14 (B) Includes the text of this section as amended by the
 15 revisions made under subdivision (e)(2) of this section.

16
 17 SECTION 2. Pursuant to the authority under Arkansas Constitution,
 18 Article 19, § 29(d), Arkansas Constitution, Article 19, § 29(d), concerning
 19 registration as a lobbyist by a former members of the General Assembly, is
 20 amended to read as follows:

21 (d)(1)(A) Except as provided in subdivision ~~(d)(2)~~(d)(1)(B) of this
 22 section, the General Assembly, in the same manner as required for amendment
 23 of laws initiated by the people, may amend this section so long as such
 24 amendments are germane to this section and consistent with its policy and
 25 purposes.

26 ~~(2)(B)~~ The General Assembly may amend subsection (c) of
 27 this section by a majority vote of each house.

28 (2)(A) If an act of the General Assembly amends this
 29 section, the Arkansas Code Revision Commission may, by a majority vote of the
 30 Arkansas Code Revision Commission, make the following revisions to the act so
 31 long as the revisions do not change the substance or meaning of the act:

32 (i) Correct the spelling of words;

33 (ii) Change capitalization for the purpose of
 34 uniformity;

35 (iii) Correct manifest typographical and grammatical
 36 errors;

1 (iv) Correct manifest errors in references to laws
2 and other documents;

3 (v) Correct manifest errors in internal reference
4 numbers;

5 (vi) Number, renumber, redesignate, and rearrange
6 this section;

7 (vii) Change internal reference numbers to agree
8 with renumbered sections, subsections, subdivisions, or other provisions of
9 law;

10 (viii) Insert or delete hyphens in words to follow
11 correct grammatical usage;

12 (ix) Change numerals or symbols to words or vice
13 versa and add figures or words if they are merely repetitions of written
14 words or vice versa for purposes of uniformity and style;

15 (x) Change the form of nouns, pronouns, and verbs
16 for purposes of style and grammar;

17 (xi) Correct punctuation; and

18 (xii) Change gender-specific language to gender-
19 neutral language.

20 (B)(i) If more than one (1) act amending this section is
21 enacted by the General Assembly during the same session, the Arkansas Code
22 Revision Commission may, by a majority vote of the Arkansas Code Revision
23 Commission, revise this section as necessary so that all of the enactments
24 shall be given effect, including without limitation renumbering,
25 redesignating, and rearranging subsections and subdivisions of this section.

26 (ii) In the event that one (1) or more acts amending
27 this section result in an irreconcilable conflict with one (1) or more other
28 acts amending this section enacted during the same session, the Arkansas Code
29 Revision Commission may, by a majority vote of the Arkansas Code Revision
30 Commission, revise this section so that the conflicting provision of the last
31 enactment prevails.

32 (3) If the Arkansas Code Revision Commission makes revisions
33 under subdivision (d)(2) of this section, the Arkansas Code Revision
34 Commission shall file a report with the Speaker of the House of
35 Representatives, the President Pro Tempore of the Senate, and the Governor
36 that:

1 (A) Explains the revisions made under subdivision (d)(2)
 2 of this section; and

3 (B) Includes the text of this section as amended by the
 4 revisions made under subdivision (d)(2) of this section.

5
 6 SECTION 3. Pursuant to the authority under Arkansas Constitution,
 7 Article 19, § 30(d), Arkansas Constitution, Article 19, § 30(d), concerning
 8 gifts from lobbyists, is amended to read as follows:

9 (d)(1)(A) Except as provided in subdivision ~~(d)(2)~~(d)(1)(B) of this
 10 section, the General Assembly, in the same manner as required for amendment
 11 of laws initiated by the people, may amend this section so long as such
 12 amendments are germane to this section and consistent with its policy and
 13 purposes.

14 ~~(2)(B)~~ The General Assembly may amend subsection (c) of
 15 this section by a majority vote of each house.

16 (2)(A) If an act of the General Assembly amends this section,
 17 the Arkansas Code Revision Commission may, by a majority vote of the Arkansas
 18 Code Revision Commission, make the following revisions to the act so long as
 19 the revisions do not change the substance or meaning of the act:

20 (i) Correct the spelling of words;

21 (ii) Change capitalization for the purpose of
 22 uniformity;

23 (iii) Correct manifest typographical and grammatical
 24 errors;

25 (iv) Correct manifest errors in references to laws
 26 and other documents;

27 (v) Correct manifest errors in internal reference
 28 numbers;

29 (vi) Number, renumber, redesignate, and rearrange
 30 this section;

31 (vii) Change internal reference numbers to agree
 32 with renumbered sections, subsections, subdivisions, or other provisions of
 33 law;

34 (viii) Insert or delete hyphens in words to follow
 35 correct grammatical usage;

36 (ix) Change numerals or symbols to words or vice

1 versa and add figures or words if they are merely repetitions of written
 2 words or vice versa for purposes of uniformity and style;

3 (x) Change the form of nouns, pronouns, and verbs
 4 for purposes of style and grammar;

5 (xi) Correct punctuation; and

6 (xii) Change gender-specific language to gender-
 7 neutral language.

8 (B)(i) If more than one (1) act amending this section is
 9 enacted by the General Assembly during the same session, the Arkansas Code
 10 Revision Commission may, by a majority vote of the Arkansas Code Revision
 11 Commission, revise this section as necessary so that all of the enactments
 12 shall be given effect, including without limitation renumbering,
 13 redesignating, and rearranging subsections and subdivisions of this section.

14 (ii) In the event that one (1) or more acts amending
 15 this section result in an irreconcilable conflict with one (1) or more other
 16 acts amending this section enacted during the same session, the Arkansas Code
 17 Revision Commission may, by a majority vote of the Arkansas Code Revision
 18 Commission, revise this section so that the conflicting provision of the last
 19 enactment prevails.

20 (3) If the Arkansas Code Revision Commission makes revisions
 21 under subdivision (d)(2) of this section, the Arkansas Code Revision
 22 Commission shall file a report with the Speaker of the House of
 23 Representatives, the President Pro Tempore of the Senate, and the Governor
 24 that:

25 (A) Explains the revisions made under subdivision (d)(2)
 26 of this section; and

27 (B) Includes the text of this section as amended by the
 28 revisions made under subdivision (d)(2) of this section.

29
 30 SECTION 4. Pursuant to the authority under Arkansas Constitution,
 31 Article 19, § 31(1), Arkansas Constitution, Article 19, § 31(1), concerning
 32 the independent citizens commission, is amended to read as follows:

33 (1)(1) The General Assembly, in the same manner as required for
 34 amendment of laws initiated by the people, may amend this section, so long as
 35 such amendments are germane to this section and consistent with its policy
 36 and purposes.

1 (2)(A) If an act of the General Assembly amends this section,
2 the Arkansas Code Revision Commission may, by a majority vote of the Arkansas
3 Code Revision Commission, make the following revisions to the act so long as
4 the revisions do not change the substance or meaning of the act:

5 (i) Correct the spelling of words;

6 (ii) Change capitalization for the purpose of
7 uniformity;

8 (iii) Correct manifest typographical and grammatical
9 errors;

10 (iv) Correct manifest errors in references to laws
11 and other documents;

12 (v) Correct manifest errors in internal reference
13 numbers;

14 (vi) Number, renumber, redesignate, and rearrange
15 this section;

16 (vii) Change internal reference numbers to agree
17 with renumbered sections, subsections, subdivisions, or other provisions of
18 law;

19 (viii) Insert or delete hyphens in words to follow
20 correct grammatical usage;

21 (ix) Change numerals or symbols to words or vice
22 versa and add figures or words if they are merely repetitions of written
23 words or vice versa for purposes of uniformity and style;

24 (x) Change the form of nouns, pronouns, and verbs
25 for purposes of style and grammar;

26 (xi) Correct punctuation; and

27 (xii) Change gender-specific language to gender-
28 neutral language.

29 (B)(i) If more than one (1) act amending this section is
30 enacted by the General Assembly during the same session, the Arkansas Code
31 Revision Commission may, by a majority vote of the Arkansas Code Revision
32 Commission, revise this section as necessary so that all of the enactments
33 shall be given effect, including without limitation renumbering,
34 redesignating, and rearranging subsections and subdivisions of this section.

35 (ii) In the event that one (1) or more acts amending
36 this section result in an irreconcilable conflict with one (1) or more acts

1 amending this section enacted during the same session, the Arkansas Code
 2 Revision Commission may, by a majority vote of the Arkansas Code Revision
 3 Commission, revise this section so that the conflicting provision of the last
 4 enactment prevails.

5 (3) If the Arkansas Code Revision Commission makes revisions
 6 under subdivision (1)(2) of this section, the Arkansas Code Revision
 7 Commission shall file a report with the Speaker of the House of
 8 Representatives, the President Pro Tempore of the Senate, and the Governor
 9 that:

10 (A) Explains the revisions made under subdivision (1)(2)
 11 of this section; and

12 (B) Includes the text of this section as amended by the
 13 revisions made under subdivision (1)(2) of this section.

14
 15 SECTION 5. Pursuant to the authority under Arkansas Constitution,
 16 Amendment 89, § 11, Arkansas Constitution, Amendment 89, § 11, is amended to
 17 read as follows:

18 § 11. [Three-fourths vote]

19 (a) The General Assembly may by a three-fourths vote of each house of
 20 the General Assembly amend the provisions of this amendment so long as the
 21 amendments are germane to this amendment and consistent with its policy and
 22 purposes.

23 (b)(1) If an act of the General Assembly amends one (1) or more
 24 provisions of this amendment, the Arkansas Code Revision Commission may, by a
 25 majority vote of the commission, make the following revisions to the act so
 26 long as the revisions do not change the substance or meaning of the act:

27 (A) Correct the spelling of words;

28 (B) Change capitalization for the purpose of uniformity;

29 (C) Correct manifest typographical and grammatical errors;

30 (D) Correct manifest errors in references to laws and
 31 other documents;

32 (E) Correct manifest errors in internal reference numbers;

33 (F) Number, renumber, redesignate, and rearrange the
 34 provisions of this amendment at issue;

35 (G) Change internal reference numbers to agree with
 36 renumbered sections, subsections, subdivisions, or other provisions of law;

1 (H) Insert or delete hyphens in words to follow correct
2 grammatical usage;

3 (I) Change numerals or symbols to words or vice versa and
4 add figures or words if they are merely repetitions of written words or vice
5 versa for purposes of uniformity and style;

6 (J) Change the form of nouns, pronouns, and verbs for
7 purposes of style and grammar;

8 (K) Correct punctuation; and

9 (L) Change gender-specific language to gender-neutral
10 language.

11 (2)(A) If more than one (1) act amending a provision of this
12 amendment is enacted by the General Assembly during the same session, the
13 commission may, by a majority vote of the commission, revise this amendment
14 as necessary so that all of the enactments shall be given effect, including
15 without limitation renumbering, redesignating, and rearranging sections,
16 subsections, and subdivisions of this amendment.

17 (B) In the event that one (1) or more acts amending a
18 provision of this amendment result in an irreconcilable conflict with one (1)
19 or more acts amending a provision of this amendment enacted during the same
20 session, the commission may, by a majority vote of the commission, revise
21 this amendment so that the conflicting provision of the last enactment
22 prevails.

23 (c) If the commission makes revisions under subsection (b) of this
24 section, the commission shall file a report with the Speaker of the House of
25 Representatives, the President Pro Tempore of the Senate, and the Governor
26 that:

27 (1) Explains the revisions made under subsection (b) of this
28 section; and

29 (2) Includes the text of this amendment as amended by the
30 revisions made under subsection (b) of this section.

31
32 SECTION 6. Pursuant to the authority under Arkansas Constitution,
33 Amendment 98, § 23, Arkansas Constitution, Amendment 98, is amended to add an
34 additional section to read as follows:

35 § 26. Acts amending Arkansas Medical Marijuana Amendment of 2016.

36 (a)(1) If an act of the General Assembly amends one (1) or more

1 sections of this amendment under § 23 of this amendment, the Arkansas Code
2 Revision Commission may, by a majority vote of the commission, make the
3 following revisions to the act so long as the revisions do not change the
4 substance or meaning of the act:

5 (A) Correct the spelling of words;

6 (B) Change capitalization for the purpose of uniformity;

7 (C) Correct manifest typographical and grammatical errors;

8 (D) Correct manifest errors in references to laws and
9 other documents;

10 (E) Correct manifest errors in internal reference numbers;

11 (F) Number, renumber, redesignate, and rearrange the
12 provisions of this amendment at issue;

13 (G) Change internal reference numbers to agree with
14 renumbered sections, subsections, subdivisions, or other provisions of law;

15 (H) Insert or delete hyphens in words to follow correct
16 grammatical usage;

17 (I) Change numerals or symbols to words or vice versa and
18 add figures or words if they are merely repetitions of written words or vice
19 versa for purposes of uniformity and style;

20 (J) Change the form of nouns, pronouns, and verbs for
21 purposes of style and grammar;

22 (K) Correct punctuation; and

23 (L) Change gender-specific language to gender-neutral
24 language.

25 (2)(A) If more than one (1) act amending a section of this
26 amendment under § 23 of this amendment is enacted by the General Assembly
27 during the same session, the commission may, by a majority vote of the
28 commission, revise this amendment as necessary so that all of the enactments
29 shall be given effect, including without limitation renumbering,
30 redesignating, and rearranging sections, subsections, and subdivisions of
31 this amendment.

32 (B) In the event that one (1) or more acts amending a
33 section of this amendment under § 23 of this amendment result in an
34 irreconcilable conflict with one (1) or more acts amending a section of this
35 amendment enacted during the same session, the commission may, by a majority
36 vote of the commission, revise this amendment so that the conflicting

1 provision of the last enactment prevails.

2 (b) If the commission makes revisions under subsection (a) of this
3 section, the commission shall file a report with the Speaker of the House of
4 Representatives, the President Pro Tempore of the Senate, and the Governor
5 that:

6 (1) Explains the revisions made under subsection (a) of this
7 section; and

8 (2) Includes the text of this amendment as amended by the
9 revisions made under subsection (a) of this section.

10
11 SECTION 7. Arkansas Code Title 1, Chapter 2, Subchapter 3, is amended
12 to add an additional section to read as follows:

13 1-2-308. Acts amending Arkansas Constitution.

14 (a)(1) If an act of the General Assembly amends a provision of the
15 Arkansas Constitution as expressly permitted by the Arkansas Constitution,
16 the Arkansas Code Revision Commission may, by a majority vote of the
17 commission, make the following revisions to the act amending the Arkansas
18 Constitution so long as the revisions do not change the substance or meaning
19 of the act amending the Arkansas Constitution:

20 (A) Correct the spelling of words;

21 (B) Change capitalization for the purpose of uniformity;

22 (C) Correct manifest typographical and grammatical errors;

23 (D) Correct manifest errors in references to laws and
24 other documents;

25 (E) Correct manifest errors in internal reference numbers;

26 (F) Number, renumber, redesignate, and rearrange the
27 provision of the Arkansas Constitution at issue;

28 (G) Change internal reference numbers to agree with
29 renumbered sections, subsections, subdivisions, or other provisions of law;

30 (H) Insert or delete hyphens in words to follow correct
31 grammatical usage;

32 (I) Change numerals or symbols to words or vice versa and
33 add figures or words if they are merely repetitions of written words or vice
34 versa for purposes of uniformity and style;

35 (J) Change the form of nouns, pronouns, and verbs for
36 purposes of style and grammar;

1 (K) Correct punctuation; and
2 (L) Change gender-specific language to gender-neutral
3 language.

4 (2)(A) If more than one (1) act amending the same provision of
5 the Arkansas Constitution is enacted by the General Assembly during the same
6 session, the commission may, by a majority vote of the commission, revise the
7 provision of the Arkansas Constitution at issue as necessary so that all of
8 the enactments shall be given effect, including without limitation
9 renumbering, redesignating, and rearranging sections, subsections, and
10 subdivisions of the provision of the Arkansas Constitution at issue.

11 (B) In the event that one (1) or more acts amending the
12 same provision of the Arkansas Constitution result in an irreconcilable
13 conflict with one (1) or more acts of the General Assembly amending the
14 Arkansas Constitution enacted during the same session, the commission may, by
15 a majority vote of the commission, revise the provision of the Arkansas
16 Constitution at issue so that the conflicting provision of the last enactment
17 prevails.

18 (b) If the commission makes revisions under subsection (a) of this
19 section, the commission shall file a report with the Speaker of the House of
20 Representatives, the President Pro Tempore of the Senate, and the Governor
21 that:

22 (1) Explains the revisions made under subsection (a) of this
23 section; and

24 (2) Includes the text of the provision of the Arkansas
25 Constitution at issue as amended by the revisions made under subsection (a)
26 of this section.

27
28 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the
29 General Assembly of the State of Arkansas that under current law the Arkansas
30 Code Revision Commission does not have the authority to correct conflicts
31 occurring when multiple acts amend the same provision of the Arkansas
32 Constitution as expressly permitted by the Arkansas Constitution; that this
33 inability to resolve conflicts makes the law unclear and impossible to
34 publish for review and study by the citizens of the state; and that this act
35 should become effective at the earliest opportunity so that it may be applied
36 to acts enacted by the Ninety-Second General Assembly. Therefore, an

1 emergency is declared to exist, and this act being immediately necessary for
2 the preservation of the public peace, health, and safety shall become
3 effective on:

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

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

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

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