

State of Arkansas *As Engrossed: H3/11/25 H3/17/25*

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1637

By: Representatives Ray, *S. Meeks*

By: Senator M. Johnson

### For An Act To Be Entitled

AN ACT CONCERNING THE DEVELOPMENT AND PRESENTATION OF  
FISCAL IMPACT STATEMENTS CONCERNING THE FISCAL IMPACT  
OF STATEWIDE INITIATIVE AND REFERENDUM MEASURES AND  
LEGISLATIVELY REFERRED CONSTITUTIONAL AMENDMENTS; AND  
FOR OTHER PURPOSES.

### Subtitle

CONCERNING THE DEVELOPMENT AND  
PRESENTATION OF FISCAL IMPACT STATEMENTS  
CONCERNING THE FISCAL IMPACT OF  
STATEWIDE INITIATIVE AND REFERENDUM  
MEASURES AND LEGISLATIVELY REFERRED  
CONSTITUTIONAL AMENDMENTS.

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

SECTION 1. Arkansas Code § 7-9-115 is amended to read as follows:  
7-9-115. Furnishing ballot title and popular name to election  
commissioners.

(a) Not less than eighteen (18) days before the election, the  
Secretary of State shall furnish the State Board of Election Commissioners  
and county boards of election commissioners a certified copy of the ballot  
title and popular name for each proposed measure and each referred act to be  
voted upon at the ensuing election.

(b) If the Department of Finance and Administration prepared a fiscal  
impact statement for a statewide measure under § 7-9-128 or for a



1 legislatively referred constitutional amendment under § 7-9-206, the fiscal  
2 impact statement shall be furnished to the State Board of Election  
3 Commissioners and county boards of election commissioners along with the  
4 ballot title and popular name under subsection (a) of this section.

5  
6 SECTION 2. Arkansas Code § 7-9-117 is amended to add an additional  
7 subsection to read as follows:

8 (d) If the Department of Finance and Administration prepared a fiscal  
9 impact statement for a statewide measure under § 7-9-128 for inclusion on the  
10 ballot, the fiscal impact statement shall be included on the ballot.

11  
12 SECTION 3. Arkansas Code Title 7, Chapter 9, Subchapter 1, is amended  
13 to add an additional section to read as follows:

14 7-9-128. Fiscal impact statement.

15 (a) Within ten (10) business days of a sponsor submitting an original  
16 draft under § 7-9-107, the Attorney General shall determine if the proposed  
17 measure has a financial impact by virtue of:

18 (1) Increasing or decreasing state revenues, costs,  
19 expenditures, or indebtedness; or

20 (2) Establishing, repealing, or modifying one (1) or more taxes.

21 (b) If the Attorney General certifies a ballot title and popular name  
22 under § 7-9-107(d) and he or she determines that the proposed measure has a  
23 financial impact under subsection (a) of this section, he or she shall refer  
24 the proposed measure and the certified ballot title and popular name within  
25 three (3) business days to the Department of Finance and Administration.

26 (c) Upon the referral of a proposed measure under subsection (b) of  
27 this section, the department shall prepare an unbiased, good faith fiscal  
28 impact statement for the proposed measure, not exceeding one hundred (100)  
29 words plus one hundred (100) additional words per revenue source created or  
30 impacted by the proposed measure, that contains:

31 (1) A description of the total estimated fiscal impact of the  
32 proposed measure over the time period or time periods determined by the  
33 department to be most useful in understanding the estimated fiscal impact of  
34 the proposed measure;

35 (2) If the proposed measure would increase taxes, decrease  
36 taxes, or impose a new tax, a dollar amount representing the total estimated

1 increase or decrease for each type of tax affected under the proposed  
2 measure, a dollar amount showing the estimated amount of a new tax, and a  
3 dollar amount representing the total estimated increase or decrease in taxes  
4 under the proposed measure;

5 (3) If the proposed measure would increase a particular tax or  
6 tax rate, the tax percentage difference and the tax percentage increase for  
7 each tax or tax rate increased;

8 (4) If the proposed measure would result in the issuance or a  
9 change in the status of bonds, notes, or other debt instruments, a dollar  
10 amount representing the total estimated increase or decrease in public debt  
11 under the proposed law;

12 (5) A dollar amount representing the estimated cost or savings,  
13 if any, to state government entities under the proposed measure;

14 (6) If the proposed measure would increase costs to state  
15 government, a listing of all sources of funding for the estimated costs; and

16 (7) A concise description and analysis titled "Funding Source",  
17 not to exceed one hundred (100) words for each funding source, of the funding  
18 source information.

19 (d) Following the certification of a ballot title and popular name  
20 under § 7-9-107(d), the sponsor of the proposed measure may provide  
21 information to the department that he or she believes would assist the  
22 department in preparing the unbiased, good faith fiscal impact statement  
23 under subsection (c) of this section.

24 (e) If the department requests information from a state agency or  
25 other public entity that is necessary for the completion of the fiscal impact  
26 statement under this section, the state agency or other public entity shall  
27 provide the requested information by the date identified by the department.

28 (f) If the department determines that the fiscal impact of the  
29 proposed measure cannot be determined, the department may indicate that the  
30 fiscal impact cannot be determined in the fiscal impact statement.

31 (g) The department shall forward the fiscal impact statement under  
32 subsection (c) of this section to the Secretary of State by the seventy-sixth  
33 day before the general election.

34 (h)(1) If the fiscal impact statement under subsection (c) of this  
35 section exceeds two hundred (200) words, the department shall prepare an  
36 additional version of the fiscal impact statement that does not exceed two

1 hundred (200) words.

2 (2) The version of the fiscal impact statement that does not  
3 exceed two hundred (200) words shall be included on the ballot under § 7-9-  
4 117(d) in lieu of the version of the fiscal impact statement exceeding two  
5 hundred (200) words.

6 (i) The sponsor of a proposed measure shall not be charged any costs  
7 associated with the preparation of the fiscal impact statement under this  
8 section.

9 (j) When determining the number of words in a fiscal impact statement  
10 under this section, the department shall not include numerals and associated  
11 special characters in the word count, including without limitations dollars  
12 signs and percentage symbols.

13  
14 SECTION 4. Arkansas Code Title 7, Chapter 9, Subchapter 2, is amended  
15 to add an additional section to read as follows:

16 7-9-206. Fiscal impact statement.

17 (a) If the General Assembly passes a joint resolution proposing an  
18 amendment to the Arkansas Constitution, the Department of Finance and  
19 Administration shall determine if the proposed measure has a financial impact  
20 by virtue of:

21 (1) Increasing or decreasing state revenues, costs,  
22 expenditures, or indebtedness; or

23 (2) Establishing, repealing, or modifying one (1) or more taxes.

24 (b) If the department determines that the proposed amendment to the  
25 Arkansas Constitution has a financial impact under subsection (a) of this  
26 section, the department shall prepare an unbiased, good faith fiscal impact  
27 statement for the proposed amendment to the Arkansas Constitution, not  
28 exceeding one hundred (100) words plus one hundred (100) additional words per  
29 revenue source created or impacted by the proposed amendment to the Arkansas  
30 Constitution, that contains:

31 (1) A description of the total estimated fiscal impact of the  
32 proposed amendment to the Arkansas Constitution over the time period or time  
33 periods determined by the department to be most useful in understanding the  
34 estimated fiscal impact of the proposed amendment to the Arkansas  
35 Constitution;

36 (2) If the proposed amendment to the Arkansas Constitution would

1 increase taxes, decrease taxes, or impose a new tax, a dollar amount  
2 representing the total estimated increase or decrease for each type of tax  
3 affected under the proposed amendment to the Arkansas Constitution, a dollar  
4 amount showing the estimated amount of a new tax, and a dollar amount  
5 representing the total estimated increase or decrease in taxes under the  
6 proposed amendment to the Arkansas Constitution;

7 (3) If the proposed amendment to the Arkansas Constitution would  
8 increase a particular tax or tax rate, the tax percentage difference and the  
9 tax percentage increase for each tax or tax rate increased;

10 (4) If the proposed amendment to the Arkansas Constitution would  
11 result in the issuance or a change in the status of bonds, notes, or other  
12 debt instruments, a dollar amount representing the total estimated increase  
13 or decrease in public debt under the proposed law;

14 (5) A dollar amount representing the estimated cost or savings,  
15 if any, to state government entities under the proposed amendment to the  
16 Arkansas Constitution;

17 (6) If the proposed amendment to the Arkansas Constitution would  
18 increase costs to state government, a listing of all sources of funding for  
19 the estimated costs; and

20 (7) A concise description and analysis titled "Funding Source",  
21 not to exceed one hundred (100) words for each funding source, of the funding  
22 source information.

23 (c) Following the passage of a joint resolution proposing an amendment  
24 to the Arkansas Constitution, the sponsor of the joint resolution may provide  
25 information to the department that he or she believes would assist the  
26 department in preparing the unbiased, good faith fiscal impact statement  
27 under subsection (b) of this section.

28 (d) If the department requests information from a state agency or  
29 other public entity that is necessary for the completion of the fiscal impact  
30 statement under this section, the state agency or other public entity shall  
31 provide the requested information by the date identified by the department.

32 (e) If the department determines that the fiscal impact of the  
33 proposed measure cannot be determined, the department may indicate that the  
34 fiscal impact cannot be determined in the fiscal impact statement.

35 (f) The department shall forward the fiscal impact statement under  
36 subsection (b) of this section to the Secretary of State by the seventy-sixth

1 day before the general election.

2 (g) The fiscal impact statement prepared by the department under this  
3 section shall be included on the ballot in the same manner as a fiscal impact  
4 statement prepared under § 7-9-128.

5 (h)(1) If the fiscal impact statement under subsection (b) of this  
6 section exceeds two hundred (200) words, the department shall prepare an  
7 additional version of the fiscal impact statement that does not exceed two  
8 hundred (200) words.

9 (2) The version of the fiscal impact statement that does not  
10 exceed two hundred (200) words shall be included on the ballot in lieu of the  
11 version of the fiscal impact statement exceeding two hundred (200) words.

12 (i) When determining the number of words in a fiscal impact statement  
13 under this section, the department shall not include numerals and associated  
14 special characters in the word count, including without limitations dollars  
15 signs and percentage symbols.

16  
17 SECTION 5. DO NOT CODIFY. Measures certified before effective date of  
18 act.

19 (a)(1) If the Attorney General certifies the ballot title and popular  
20 name of a proposed measure under § 7-9-107(d) before the effective date of  
21 this act, the sponsor shall submit the following information to the  
22 Department of Finance and Administration within ten (10) business days of the  
23 effective date of this act:

24 (A) The full text of the proposed measure;

25 (B) The certified ballot title for the proposed measure;

26 and

27 (C) The certified popular name for the proposed measure.

28 (2) The sponsor may also submit information to the department he  
29 or she believes would assist the department in preparing an unbiased, good  
30 faith fiscal impact statement of the proposed measure.

31 (b) The department shall prepare an unbiased, good faith fiscal impact  
32 statement for the proposed measure in the manner required by § 7-9-128.

33  
34 /s/Ray

35 APPROVED: 4/3/25