

**ARKANSAS SENATE**  
89th General Assembly - Regular Session, 2013  
**Amendment Form**

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**Subtitle of Senate Joint Resolution No. 2**  
THE TORT REFORM AMENDMENT OF 2013.

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**Amendment No. 4 to Senate Joint Resolution No. 2**

Amend Senate Joint Resolution No. 2 as engrossed, S3/25/13 (version: 03/25/2013 9:10:13 AM):

Page 1, delete lines 12 through 24 and substitute the following:  
“AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING THE AWARDING OF DAMAGES IN CIVIL CASES.”

AND

Page 1, delete the subtitle and substitute the following:  
“THE TORT REFORM AMENDMENT OF 2014.”

AND

Page 2, line 1, delete “2013” and substitute “2014”

AND

Page 2, delete lines 3 through 36 and substitute the following:

“SECTION 2. Section 32 of Article 5 of the Arkansas Constitution is amended to read as follows:

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

(a) The General Assembly shall have power to enact laws prescribing the amount of compensation to be paid by employers for injuries to or death of employees, and to whom said payment shall be made. It shall have power to provide the means, methods, and forum for adjudicating claims arising under said laws, and for securing payment of same. Provided, that otherwise, except as provided in subsections (b) and (c) of this section, no law shall be enacted limiting the amount to be recovered for injuries resulting in death or for injuries to persons or property; and in case of death from such injuries the right of action shall survive, and the General Assembly shall prescribe for whose benefit such action shall be prosecuted.

(b) In any civil case concerning death or injury to persons, the General Assembly shall have the power to enact laws limiting the amount that may be recovered for mental anguish, pain and suffering, loss of life, or scars and disfigurement.



(c) In any civil case, the amount of punitive damages that may be awarded against any separate defendant found culpable of punitive conduct shall not exceed five (5) times the award of compensatory damages against that particular defendant.

SECTION 3. This amendment shall not be construed to supersede or amend the right of trial by jury under Article 2, § 7 of this Constitution.

SECTION 4. EFFECTIVE DATE. This amendment is effective on January 1, 2015.”

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 36

AND

Page 6, delete lines 1 through 36

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Page 7, delete lines 1 through 36

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Page 8, delete lines 1 through 36

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Page 9, delete lines 1 through 36

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Page 10, delete lines 1 through 36

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Page 11, delete lines 1 through 36

AND

Page 12, delete lines 1 through 36

AND

Page 13, delete lines 1 through 36

AND

Page 14, delete lines 1 through 17

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator J. Hutchinson

MBM/CDS - 04-02-2013 16:23:42

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Secretary