

Hall of the House of Representatives

94th General Assembly - Regular Session, 2023

Amendment Form

Subtitle of House Bill No. 1320

TO AMEND THE LAW CONCERNING INITIATIVE PETITIONS AND REFERENDUM PETITIONS; AND TO REQUIRE THE ATTORNEY GENERAL TO REVIEW AN INITIATIVE PETITION OR REFERENDUM PETITION BEFORE CIRCULATION.

Amendment No. 1 to House Bill 1320

Amend House Bill No. 1320 as originally introduced:

Page 4, delete SECTION 4 in its entirety and substitute the following:

"SECTION 4. Arkansas Code § 7-9-112 is amended to read as follows:

(a) If the Secretary of State determines that the signatures submitted on a statewide initiative petition or statewide referendum petition are insufficient ~~or the State Board of Election Commissioners does not certify the ballot title or popular name of a proposed measure resulting in the Secretary of State's finding the proposed measure insufficient~~, the following persons may challenge that determination by petition petitioning the Supreme Court to determine if the signatures submitted ~~on the statewide initiative petition or statewide referendum petition~~ are sufficient ~~or if the ballot title or popular name of the proposed measure should be certified~~:

(1) The sponsor of the statewide initiative petition or statewide referendum petition; or

(2) A registered voter.

(b) The Supreme Court shall act expeditiously to review the sufficiency of the signatures ~~or the certification of the ballot title or popular name~~ in a timely manner and shall make every effort to reach a decision in advance of the election at which the proposed measure would be considered.

(c)(1)(A) If the Supreme Court decides that the signatures submitted on a statewide initiative petition or statewide referendum petition are sufficient, the Supreme Court shall order the Secretary of State to certify the sufficiency for placing the proposed measure on the election ballot if the ballot title and popular name are sufficient.

~~(B) If the Supreme Court decides that the ballot title and popular name should be certified, the Supreme Court shall order the board to certify the ballot title and popular name to the Secretary of State, who shall declare the proposed measure sufficient to be placed upon the ballot if the signatures on the statewide initiative petition or statewide referendum petition are sufficient.~~



(2) On a proper showing that the signatures are not sufficient ~~or the ballot title or popular name should not be certified~~, the Supreme Court may enjoin the Secretary of State from certifying the proposed measure for inclusion on the ballot for the election at which the proposed measure would be considered or, in the event that the proposed measure will appear on the election ballot, from canvassing and certifying the vote on the proposed measure."

AND

Page 4, delete SECTION 5 in its entirety

AND

Page 4, delete lines 34 and 35, and substitute the following:

"(2) The petition does not conform to the ~~original draft filed~~ version of the measure approved and certified under § 7-9-107;"

AND

Appropriately renumber the sections of the bill

The Amendment was read _____
By: Representative Ray
MLD/MLD - 02-03-2023 13:58:43
MLD161

Chief Clerk