

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. 2 to House Bill 1320

Amend House Bill No. 1320 as engrossed H2/6/23 (version: 2/6/2023 9:26:03 AM):

Page 1, delete lines 12 and 13, and substitute the following:
"REFERENDUM PETITION BEFORE CIRCULATION; TO DECLARE AN EMERGENCY; AND FOR
OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

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

AND

Page 5, delete line 17 and substitute the following:
"and

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that, at this time, no state entity certifies the legal sufficiency of the popular name and ballot title for statewide initiative and referendum petitions before they are circulated to Arkansans; that the lack of such a review and certification process makes it far more likely that Arkansans will be asked to sign a petition that bears a legally insufficient popular name or ballot title; that the Attorney General has historically been the state entity to review and certify the legal sufficiency of popular names and ballot titles for statewide initiative and referendum petitions; that the Arkansas Supreme Court has held that the



process under which the Attorney General provides such a review and certification is in furtherance of Arkansans' rights under Arkansas Constitution, Amendment 7; that the process will preserve the public peace, health, and safety by protecting Arkansans from signing a legally insufficient petition; and that this act is immediately necessary to help protect Arkansans' rights under Arkansas Constitution, Amendment 7 by providing for a process of review and certification before sponsors collect signatures. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

The Amendment was read _____

By: Representative Ray

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Chief Clerk