

ARKANSAS SENATE
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of Senate Joint Resolution No. 2

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CREATE A PROCEDURE FOR THE RECALL
OF A STATE CONSTITUTIONAL OFFICER, A MEMBER OF THE GENERAL ASSEMBLY, AN ELECTED
JUDICIAL OFFICER, OR A PROSECUTING ATTORNEY.

Amendment No. 1 to Senate Joint Resolution 2

Amend Senate Joint Resolution No. 2 as originally introduced:

Page 1, delete line 18, and substitute the following:

"JUDGE, DISTRICT JUDGE, PROSECUTING ATTORNEY, COUNTY JUDGE, JUSTICE OF THE
PEACE, SHERIFF, CIRCUIT CLERK, COUNTY CLERK, ASSESSOR, CORONER, TREASURER,
COUNTY SURVEYOR, COLLECTOR OF TAXES, OR CONSTABLE."

AND

Delete the subtitle in its entirety and substitute:

"A CONSTITUTIONAL AMENDMENT TO CREATE A
PROCEDURE FOR THE RECALL OF CERTAIN
ELECTED OFFICIALS."

AND

Page 2, delete lines 24 and 25 and substitute the following:

"(O) District court judge;
(P) Prosecuting attorney;
(Q) County judge;
(R) Justice of the peace;
(S) Sheriff;
(T) Circuit clerk;
(U) County clerk;
(V) Assessor;
(W) Coroner;
(X) Treasurer;
(Y) County surveyor;
(Z) Collector of taxes; or
(AA) Constable."



AND

Page 2, delete lines 26 and 27 and substitute the following:

"(2) "Recall" means the voting by the electors of the state or a district, circuit, county, or township, as the case may be, to ascertain whether or not it is the desire of"

AND

Page 2, line 29, delete "capacity" and substitute "office"

AND

Page 2, line 30, delete "a petition" and substitute "one (1) or more sheets of signatures of qualified electors"

AND

Page 2, delete line 34 and substitute the following:

"(a) The qualified electors of the state or a district, circuit, county, or township, as the case may"

AND

Page 3, line 1, delete "(b)(1)" and substitute "(b)(1)(A)"

AND

Page 3, delete line 4 and substitute the following:

"at the last general election at which a Governor was elected.

(B) At least ten percent (10%) of the number of statewide signatures of qualified electors collected under subdivision (b)(1)(A) of this section shall be from at least fifty (50) different counties of the state."

AND

Page 3, delete line 9 and substitute the following:

"election at which a Governor was elected.

(3) The recall petition for an elected official elected by a circuit shall be signed by qualified electors of the circuit in which the elected official is serving in a number of at least twenty-five percent (25%) of the votes cast for Governor within the circuit at the last general election at which a Governor was elected.

(4) The recall petition for an elected official elected by a county shall be signed by qualified electors of the county in which the elected official is serving in a number of at least twenty-five percent (25%) of the votes cast for Governor within the county at the last general election at which a Governor was elected.

(5) The recall petition for an elected official elected by a township shall be signed by qualified electors of the township in which the

elected official is serving in a number of at least twenty-five percent (25%) of the votes cast for Governor within the township at the last general election at which a Governor was elected.

(c) If an elected official's position requires performing the duties of more than one (1) office under § 1(1) of this amendment, a single recall petition is required which shall encompass all offices."

AND

Page 3, delete lines 25 through 27 and substitute the following:

"(b)(1) Each sheet of a recall petition shall contain signatures from only one (1) county.

(2) The sheets of a recall petition shall be organized by county to facilitate voter identification."

AND

Page 3, line 28, delete "petitions" and substitute "petition"

AND

Page 3, line 32, delete "petitions" and substitute "petition"

AND

Page 3, line 33, delete "petitions" and substitute "petition"

AND

Page 3, line 34, delete "are" and substitute "is"

AND

Page 4, delete lines 13 through 17 and substitute the following:

"(C) For a statewide recall petition, correction or amendment of an insufficient recall petition shall be permitted only if:

(i) The recall petition contains valid signatures of qualified electors equal to at least seventy-five percent (75%) of the number of statewide signatures of qualified electors required; and

(ii) At least ten percent (10%) of the number of statewide signatures of qualified electors submitted on the recall petition are from at least fifty (50) counties of the state."

AND

Page 4, line 24, delete "the Attorney General" and substitute "then within fifteen (15) calendar days after the filing of an amended recall petition the Attorney General"

AND

Page 5, line 15, delete "§ 4. Recall petitions for elected officials." and substitute "§ 4. Form of recall petition."

AND

Page 5, line 21, delete "legal voters" and substitute "qualified electors"

AND

Page 5, line 22, delete "(Arkansas or District)" and substitute "(Arkansas or District, Circuit, County, or Township)"

AND

Page 5, line 26, delete "(Arkansas or District)" and substitute "(Arkansas or District, Circuit, County, or Township)"

AND

Page 5, line 27, delete "that the" and substitute "that the recall of the"

AND

Page 5, line 28, delete "legal voters" and substitute "qualified electors"

AND

Page 5, line 30, delete "legal voter of (Arkansas or district)" and substitute "qualified elector of (Arkansas or District, Circuit, County, or Township)"

AND

Page 7, line 35, delete "or"

AND

Page 7, delete line 36 and substitute the following:
"County Judge, Justice of the Peace, Sheriff, Circuit Clerk, County Clerk, Assessor, Coroner, Treasurer, County Surveyor, Collector of Taxes, or Constable".

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

By: Senator J. Payton

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Secretary