

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of Senate Joint Resolution 24

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING BALLOT TITLES
FOR INITIATED MEASURES.

Amendment No. 1 to Senate Joint Resolution 24

Amend Senate Joint Resolution 24 as originally introduced:

Page 1, delete lines 9 through 13, and substitute the following:

"AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING INITIATIVES,
REFERENDUM, AND CONSTITUTIONAL AMENDMENTS REFERRED TO VOTERS; TO AMEND
ARKANSAS CONSTITUTION, ARTICLE 5, SECTION 1, CONCERNING INITIATIVES AND
REFERENDUM; AND TO AMEND PROVISIONS OF THE ARKANSAS CONSTITUTION CONCERNING
THE REFERRAL OF PROPOSED CONSTITUTIONAL AMENDMENTS TO VOTERS."

AND

Delete the subtitle in its entirety, and substitute:

"AN AMENDMENT TO THE ARKANSAS
CONSTITUTION CONCERNING INITIATIVES,
REFERENDUM, AND CONSTITUTIONAL AMENDMENTS
REFERRED TO VOTERS."

AND

Page 1, delete lines 32 through 35, and substitute the following:

"SECTION 1. The subsection of Arkansas Constitution, Article 5, § 1,



titled "Referendum", is amended to read as follows:

Referendum. The second power reserved by the people is the referendum, and any number not less than six per cent of the legal voters may, by petition, order the referendum against any general Act, or any item of an appropriation bill, or measure passed by the General Assembly, but the filing of a referendum petition against one or more items, sections or parts of any such act or measure shall not delay the remainder from becoming operative. Such petition shall be filed with the Secretary of State not later than ninety days after the final adjournment of the session at which such Act was passed, except when a recess or adjournment shall be taken temporarily for a longer period than ninety days, in which case such petition shall be filed not later than ninety days after such recess or temporary adjournment. Any measure referred to the people by referendum petition shall remain in abeyance until such vote is taken. The total number of votes cast for the office of Governor in the last preceding general election shall be the basis upon which the number of signatures of legal voters upon state-wide initiative and referendum petitions shall be computed.

Upon all initiative or referendum petitions provided for in any of the sections of this article, it shall be necessary to file from at least ~~fifteen~~ fifty of the counties of the State, petitions bearing the signature of not less than ~~one-half~~ three-fourths of the designated percentage of the electors of such county.

SECTION 2. The subsection of Arkansas Constitution, Article 5, § 1, titled "Majority", is amended to read as follows:

Majority. Any measure submitted to the people as herein provided shall take effect and become a law when approved by a majority of the votes cast upon such measure, and not otherwise, and shall not be required to receive a majority of the electors voting at such election. In addition to approval by a majority of the votes cast upon the measure at the election, a state-wide measure shall take effect and become a law when approved by a majority of the votes cast upon the measure in a majority of the counties of the state. However, an act, a measure, or the portion of an act or measure subject to a state-wide referendum shall be repealed if the act, measure, or portion of an act or measure is rejected by a majority of the electors voting upon the matter, regardless of the number of counties rejecting the act, measure, or

portion of an act or measure according to the votes cast in the county. Such
~~measures~~ A measure approved under this amendment shall be operative on and
after the thirtieth day after the election at which it is approved, unless
otherwise specified in the Act.

This section shall not be construed to deprive any member of the
General Assembly of the right to introduce any measure, but no measure shall
be submitted to the people by the General Assembly, except a proposed
constitutional amendment or amendments as provided for in this Constitution.

SECTION 3. The subsection of Arkansas Constitution, Article 5, § 1,
titled "Conflicting Measures" is amended to read as follows:

Conflicting Measures. If conflicting measures initiated or referred to
the people ~~shall be approved by a majority of the votes severally cast for~~
~~and against the same at the same election~~ are approved under this section,
the one receiving the highest number of affirmative votes shall become law.

SECTION 4. The subsection of Arkansas Constitution, Article 5, § 1,
titled "Title" is amended to read as follows:

Title. At the time of filing petitions the exact title to be used on
the ballot shall by the petitioners be submitted with the petition, and on
state-wide measures, shall be submitted to the State Board of Election
Commissioners, who shall certify such title to the Secretary of State, to be
placed upon the ballot; on county and municipal measures such title shall be
submitted to the county election board and shall by said board be placed upon
the ballot in such county or municipal election. The title shall be
readable, clear, and concise and shall not exceed five hundred (500) words.
The General Assembly may enact laws establishing a standard for the
readability of the title.

SECTION 5. The subsection of Arkansas Constitution, Article 5, § 1,
titled "Verification", is amended to read as follows:

Verification. Only legal votes shall be counted upon petitions.
Petitions may be circulated and presented in parts, but each part of any
petition shall have attached thereto the affidavit of the person circulating
the same, that all signatures thereon were made in the presence of the
affiant, and that to the best of the affiant's knowledge and belief each

signature is genuine, and that the person signing is a legal voter ~~and no other affidavit or verification shall be required to establish the genuineness of such signatures.~~

SECTION 6. The subsection of Arkansas Constitution, Article 5, § 1, titled "Amendment of Petition", is amended to read as follows:

~~Amendment of Petition~~ Notification of Insufficiency.

(a)~~(1)~~ If the Secretary of State, county clerk or city clerk, as the case may be, shall decide any petition to be insufficient, he or she shall without delay notify the sponsors of such petition, ~~and permit at least thirty (30) days from the date of such notification, in the instance of a state-wide petition, or ten (10) days in the instance of a municipal or county petition, for correction or amendment.~~

~~(2) For a state-wide petition, correction or amendment of an insufficient petition shall be permitted only if the petition contains valid signatures of legal voters equal to:~~

~~(A) At least seventy-five percent (75%) of the number of state-wide signatures of legal voters required; and~~

~~(B) At least seventy-five percent (75%) of the required number of signatures of legal voters from each of at least fifteen (15) counties of the state.~~

(b) In the event of legal proceedings to prevent giving legal effect to any petition upon any grounds, the burden of proof shall be upon the person or persons attacking the validity of the petition.

SECTION 7. The subsection of Arkansas Constitution, Article 5, § 1, titled "Unwarranted Restrictions Prohibited", is amended to read as follows:

Unwarranted Restrictions Prohibited. No law shall be passed to prohibit any person or persons from giving or receiving compensation for circulating petitions, nor to prohibit the circulation of petitions, nor in any manner interfering with the freedom of the people in procuring petitions; but laws shall be enacted prohibiting and penalizing perjury, forgery, and all other felonies or other fraudulent practices, in the securing of signatures or filing of petitions. Laws may be enacted as the General Assembly deems necessary to maintain public order, protect public safety, protect private property, or maintain the integrity of the democratic

process.

SECTION 8. Arkansas Code, Article 19, § 22, is amended to read as follows:

§ 22. Constitutional amendments.

Either branch of the General Assembly, at a regular session thereof, may propose amendments to this Constitution; and if the same be agreed to by a majority of all members elected to each house, such proposed amendments shall be entered on the journals with the yeas and nays, and published in at least one (1) newspaper in each county, where a newspaper is published, for six (6) months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State, for approval or rejection~~†. and if a majority of the electors voting at such election adopt such amendments, the same shall become a part of this Constitution~~ An amendment submitted under this section shall become a part of this Constitution if a majority of the electors voting at the next general election for Senators and Representatives approve the amendment and the amendment is also approved by a majority of votes cast upon the amendment in a majority of the counties of the state. But no more than three (3) amendments shall be proposed or submitted at the same time. They shall be so submitted as to enable the electors to vote on each amendment separately.

SECTION 9. Arkansas Constitution, Amendment 70, § 2, is amended to read as follows:

§ 2. Additional Constitutional amendments authorized.

In addition to the three (3) amendments to the Constitution allowed pursuant to Article 19, § 22, either branch of the General Assembly at a regular session thereof may propose an amendment to the Constitution to change the salaries for the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Commissioner of State Lands, and Auditor of State and for members of the General Assembly. If the same be agreed to by a majority of all members elected to each house, such proposed amendment shall be entered on the journals with the yeas and nays, and published in at least one (1) newspaper in each county, where a newspaper is published, for six (6) months immediately preceding the next

general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State for approval or rejection. ~~If a majority of the electors voting at such election adopt the amendment the same shall become a part of this Constitution~~ An amendment submitted under this section shall become a part of this Constitution if a majority of the electors voting at the next general election for Senator and Representatives approve the amendment and the amendment is also approved by a majority of votes cast upon the amendment in a majority of the counties of the state. Only one (1) amendment to the Constitution may be referred pursuant to this section.

SECTION 10. EFFECTIVE DATE. This amendment to the Arkansas Constitution shall be effective on and after January 1, 2027.

SECTION 11. BALLOT TITLE AND POPULAR NAME. When this proposed amendment is submitted to the electors of this state on the general election ballot:

(1) The title of this joint resolution shall be the ballot title; and

(2) The popular name shall be "An Amendment to the Arkansas Constitution Concerning Initiatives, Referendum, and Constitutional Amendments Referred to Voters."."

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator M. Johnson
MBM/MBM - 03-12-2025 01:48:34
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Secretary