

1 INTERIM STUDY PROPOSAL 2017-107

2 State of Arkansas  
3 91st General Assembly  
4 Fiscal Session, 2018

MBM/KFW  
SJR

5  
6 By: Senator B. King

7 Filed with: Senate Committee on State Agencies and Governmental Affairs  
8 pursuant to A.C.A. §10-3-217.

9 **SENATE JOINT RESOLUTION**

10 A PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION  
11 PROVIDING THAT THE GOVERNOR SHALL NOT DISAPPROVE A  
12 SUBSTANTIVE ITEM OF A BILL MAKING AN APPROPRIATION OF  
13 MONEY WHICH ALTERS, AMENDS, OR IMPACTS THE  
14 OPERATIONS, DUTIES, OR RESPONSIBILITIES OF THE AGENCY  
15 THAT IS THE SUBJECT OF THE BILL MAKING APPROPRIATION  
16 OF MONEY AND DOES NOT MAKE A SPECIFIC APPROPRIATION  
17 OF MONEY; AND PROVIDING THAT THE GENERAL ASSEMBLY  
18 SHALL PROVIDE BY LAW THAT UNLAWFUL DISAPPROVAL OF A  
19 SUBSTANTIVE ITEM OF A BILL MAKING APPROPRIATION OF  
20 MONEY IS A FELONY.

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23 **Subtitle**

24 A PROPOSED AMENDMENT TO THE ARKANSAS  
25 CONSTITUTION PROVIDING THAT THE GOVERNOR  
26 SHALL NOT DISAPPROVE CERTAIN PROVISIONS  
27 OF A BILL MAKING APPROPRIATION OF MONEY.

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30 BE IT RESOLVED BY THE SENATE OF THE 91ST GENERAL ASSEMBLY OF THE STATE OF  
31 ARKANSAS:

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33 THAT the following is proposed as an amendment to the Constitution of  
34 the State of Arkansas, and upon being submitted to the electors of the state  
35 for approval or rejection at the next general election for Representatives  
36 and Senators, if a majority of the electors voting thereon at the election

1 adopt the amendment, the amendment shall become a part of the Constitution of  
2 the State of Arkansas, to wit:

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4 SECTION 1. Arkansas Constitution, Article 6, § 17, is amended to read  
5 as follows:

6 § 17. Vetoes of items of appropriation bills.

7 (a) The Except as provided in subsection (b) of this section, the  
8 Governor shall have power to disapprove any item, or items, of any bill  
9 making appropriation of money, embracing distinct items; and the part or  
10 parts of the bill approved shall be the law; and the item or items of  
11 appropriations disapproved, shall be void unless repassed according to the  
12 rules and limitations prescribed for the passage of other bills over the  
13 executive veto.

14 (b)(1)(A) The Governor shall not have power to disapprove a  
15 substantive item, or items, of a bill making appropriation of money which:

16 (i) Alters, amends, or impacts the operations,  
17 duties, or responsibilities of the agency that is the subject of the bill  
18 making appropriation of money; and

19 (ii) Does not make a specific appropriation of  
20 money.

21 (B) Subdivision (b)(1)(A) of this section does not  
22 prohibit the Governor from disapproving the entirety of a bill making  
23 appropriation of money.

24 (2)(A) The General Assembly shall provide by law that a  
25 violation of subdivision (b)(1) of this section by the Governor is a felony.

26 (B) The General Assembly may determine by law the proper  
27 classification of a felony under subdivision (b)(2)(A) of this section.

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29 SECTION 2. EFFECTIVE DATE. This amendment is effective on and after  
30 January 1, 2020.

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32 SECTION 3. BALLOT TITLE AND POPULAR NAME. When this proposed  
33 amendment is submitted to the electors of the state on the general election  
34 ballot:

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

1           (2) The popular name shall be “A Proposed Constitutional  
2 Amendment to Prevent the Governor from Disapproving a Substantive Item of a  
3 Bill Making Appropriation of Money that Alters, Amends, or Impacts the  
4 Operations, Duties, or Responsibilities of the Agency that is the Subject of  
5 the Bill Making Appropriation of Money and Does Not Make a Specific  
6 Appropriation of Money; and to Require the General Assembly to Provide By Law  
7 that a Governor’s Disapproval of a Substantive Item of a Bill Making  
8 Appropriation of Money in Violation of this Amendment is a Felony.”

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11 Referred by Senator B. King

12 Prepared by: MBM/KFW

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