

HOUSE JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION TO LIMIT THE LIABILITY OF ELECTED STATE, COUNTY, CITY AND SCHOOL OFFICIALS AND APPOINTED MEMBERS OF STATE, COUNTY, AND CITY BOARDS AND COMMISSIONS AND APPOINTIVE MEMBERS OF NONPROFIT CORPORATIONS FORMED FOR ANY ELEEMOSYNARY, HEALTH, WELFARE OR CHARITABLE PURPOSE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

THAT the following is hereby proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the State for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon, at such an election, adopt such amendment, the same shall become a part of the Constitution of the State of Arkansas, to wit:

That Section 20 of Article V of the Arkansas Constitution of 1874 is amended to read as follows:

"Section 20. (a) The State of Arkansas shall never be made defendant in any of her courts.

(b) No elected officer of the State or of any county, city or town, or school district in this State, and no appointive member of any board, commission or authority of the State or of any city or county in this State, nor any member of the board of directors of a not-for-profit corporation organized under the laws of this State for any eleemosynary, health, welfare or charitable purpose, shall be held liable for acts or omissions within the scope of his or her office or duties, except for willful, malicious or criminal acts or omissions, or for acts or omissions done for personal gain."