

**Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.**

1 State of Arkansas

*As Engrossed: H4/6/01*

2 83rd General Assembly

3 Regular Session, 2001

HJR 1011

4

5 By: Representatives Parks, Holt, Womack, Pritchard, Hutchinson, D. Elliott, Minton

6 By: Senator Baker

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**HOUSE JOINT RESOLUTION**

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PROPOSING AN AMENDMENT TO THE ARKANSAS

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CONSTITUTION TO PROHIBIT THE GENERAL ASSEMBLY

12

FROM ENACTING A LAW TO LEVY A TAX OR INCREASE THE

13

RATE OF ANY TAX EXCEPT UPON THE VOTE OF THREE-

14

FOURTHS (3/4) OF THE TOTAL MEMBERSHIP OF EACH

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HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM

16

ENACTING A LAW TO LEVY A FEE OR INCREASE THE RATE

17

OF ANY FEE EXCEPT UPON THE VOTE OF *THREE-FIFTHS*

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*(3/5)* OF THE TOTAL MEMBERSHIP OF EACH HOUSE; AND

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TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A

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LAW TO DECREASE THE RATE OF ANY TAX OR FEE EXCEPT

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UPON THE VOTE OF A MAJORITY OF THE TOTAL

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MEMBERSHIP OF EACH HOUSE.

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**Subtitle**

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TO ESTABLISH THE VOTE REQUIREMENTS FOR

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THE INCREASE OR DECREASE OF A TAX OR

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FEE.

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-THIRD GENERAL

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ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL

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MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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That the following is hereby proposed as an amendment to the

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Constitution of the State of Arkansas, and upon being submitted to the

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electors of the state for approval or rejection at the next general election

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for Representatives and Senators, if a majority of the electors voting

1 thereon at such election, adopt such amendment, the same shall become a part  
2 of the Constitution of the State of Arkansas, to wit:

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4 SECTION 1. (a) The General Assembly shall not, after December 31,  
5 2002, enact a law to levy a tax or to increase the rate of any tax except  
6 upon the affirmative vote of three-fourths (3/4) of the total membership of  
7 each house of the General Assembly.

8 (b) The General Assembly shall not, after December 31, 2002, enact a  
9 law to levy a fee or to increase the rate of any fee except upon the  
10 affirmative vote of three-fifths (3/5) of the total membership of each house  
11 of the General Assembly.

12 (c) The General Assembly shall not, after December 31, 2002, enact a  
13 law to decrease the rate of any tax or fee except upon the affirmative vote  
14 of a majority of the total membership of each house of the General Assembly.

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16 SECTION 2. This Amendment shall become effective January 1, 2003.

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18 SECTION 3. Section 38 of Article 5 of the Constitution of the State of  
19 Arkansas as added thereto by Section 2 of Amendment 19 to the Constitution of  
20 the State of Arkansas is repealed.

21 ~~38. Taxes—Increase—Approval by electors.—~~

22 ~~§ 2. None of the rates for property, excise, privilege or personal~~  
23 ~~taxes, now levied shall be increased by the General Assembly except after the~~  
24 ~~approval of the qualified electors voting thereon at an election, or in case~~  
25 ~~of emergency, by the votes of three fourths of the members elected to each~~  
26 ~~House of the General Assembly. [As added to Art. 5 by Const. Amend. 19.]~~

27 */s/ Parks, et al.*