

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

SJR 8

4
5 By: Senator Whitaker

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8 **SENATE JOINT RESOLUTION**

9 PROPOSING AN AMENDMENT TO THE ARKANSAS
10 CONSTITUTION TO REQUIRE THE ADVICE AND CONSENT OF
11 THE SENATE FOR PARDONS GRANTED BY THE GOVERNOR
12 DURING THE LAST MONTH OF A TERM AND PARDONS
13 GRANTED GENERALLY TO MULTIPLE INDIVIDUALS.

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15 **Subtitle**

16 PROPOSING AN AMENDMENT TO THE ARKANSAS
17 CONSTITUTION TO REQUIRE THE ADVICE AND
18 CONSENT OF THE SENATE FOR PARDONS
19 GRANTED BY THE GOVERNOR DURING THE LAST
20 MONTH OF A TERM AND PARDONS GRANTED
21 GENERALLY TO MULTIPLE INDIVIDUALS.

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23 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL ASSEMBLY OF THE
24 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
25 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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

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34 SECTION 1. Section 18 of Article 6 of the Arkansas Constitution is
35 amended to read as follows:

36 § 18. Pardoning power.



1 In all criminal and penal cases, except in those of treason and
2 impeachment, the Governor shall have power to grant reprieves, commutations
3 of sentence and pardons after conviction; and to remit fines and forfeitures
4 under such rules and regulations as shall be prescribed by law. In cases of
5 treason he shall have power, by and with the advice and consent of the
6 Senate, to grant reprieves and pardons; and he may, in the recess of the
7 Senate, respite the sentence until the adjournment of the next regular
8 session of the General Assembly. He shall communicate to the General Assembly
9 at every regular session each case of reprieve, commutation or pardon, with
10 his reasons therefor, stating the name and crime of the convict, the
11 sentence, its date and the date of the commutation, pardon or reprieve. Any
12 reprieve, commutation of sentence, or pardon granted by the Governor during
13 the last month of the Governor's term of office, and any reprieves,
14 commutations of sentence, or pardons granted generally to multiple
15 individuals without regard to the facts and circumstances of each individual
16 case shall require the advice and consent of the Senate.

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