

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

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4
5 By: Senator Collins-Smith

SJR 10

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7 **SENATE JOINT RESOLUTION**

8 AMENDING THE ARKANSAS CONSTITUTION TO REVISE THE
9 PROCESS FOR THE GENERAL ASSEMBLY TO SUBMIT PROPOSED
10 AMENDMENTS TO THE ARKANSAS CONSTITUTION TO THE
11 ELECTORS OF THE STATE AT A GENERAL ELECTION;
12 REQUIRING A THREE-FOURTHS VOTE OF EACH HOUSE OF THE
13 GENERAL ASSEMBLY TO PROPOSE AN AMENDMENT TO THE
14 ARKANSAS CONSTITUTION TO THE ELECTORS OF THE STATE;
15 REQUIRING THAT THE BALLOT TITLE AND POPULAR NAME OF
16 AN AMENDMENT TO THE ARKANSAS CONSTITUTION PROPOSED BY
17 THE GENERAL ASSEMBLY CONTAIN AN IMPARTIAL SUMMARY OF
18 THE PROPOSED AMENDMENT; AND AUTHORIZING THE ATTORNEY
19 GENERAL TO SUBSTITUTE A BALLOT TITLE OR POPULAR NAME,
20 OR BOTH, IF THE BALLOT TITLE OR POPULAR NAME, OR
21 BOTH, FAILS TO COMPLY WITH THE REQUIREMENTS OF
22 ARTICLE 19, § 22, OF THE ARKANSAS CONSTITUTION.

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25 **Subtitle**

26 AMENDING THE ARKANSAS CONSTITUTION TO
27 REVISE THE PROCESS FOR THE GENERAL
28 ASSEMBLY TO SUBMIT PROPOSED AMENDMENTS TO
29 THE ARKANSAS CONSTITUTION TO THE ELECTORS
30 OF THE STATE AT A GENERAL ELECTION.

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33 BE IT RESOLVED BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE
34 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
35 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
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1 That the following is proposed as an amendment to the Constitution of
2 the State of Arkansas, and upon being submitted to the electors of the state
3 for approval or rejection at the next general election for Representatives
4 and Senators, if a majority of the electors voting thereon at the election
5 adopt the amendment, the amendment shall become a part of the Constitution of
6 the State of Arkansas, to wit:

7
8 SECTION 1. Arkansas Constitution, Article 19, § 22, is amended to read
9 as follows:

10 § 22. Constitutional amendments.

11 ~~Either branch of the General Assembly, at a regular session thereof,~~
12 ~~may propose amendments to this Constitution; and if the same be agreed to by~~
13 ~~a majority of all members elected to each house, such proposed amendments~~
14 ~~shall be entered on the journals with the yeas and nays, and published in at~~
15 ~~least one newspaper in each county, where a newspaper is published, for six~~
16 ~~months immediately preceding the next general election for Senators and~~
17 ~~Representatives, at which time the same shall be submitted to the electors of~~
18 ~~the State, for approval or rejection; and if a majority of the electors~~
19 ~~voting at such election adopt such amendments, the same shall become a part~~
20 ~~of this Constitution. But no more than three amendments shall be proposed or~~
21 ~~submitted at the same time. They shall be so submitted as to enable the~~
22 ~~electors to vote on each amendment separately.~~

23 (a)(1) Either house of the General Assembly may propose amendments to
24 this Constitution at a regular session in the form of a joint resolution.

25 (2) A joint resolution proposing an amendment to this
26 Constitution shall be read in full on three (3) days in each house of the
27 General Assembly unless the rules are suspended by a two-thirds vote of each
28 house, in which case the joint resolution may be read a second or third time
29 on the same day.

30 (3) On the final passage of the proposed amendment through each
31 house, the vote shall be taken by yeas and nays and the names of the persons
32 voting for and against the joint resolution shall be entered on the journal.

33 (4) A proposed amendment shall not be submitted to the electors
34 of the state for approval or rejection unless it receives a three-fourths
35 vote of each house of the General Assembly.

36 (5)(A) Except as provided in Amendment 70, § 2, of this

1 Constitution, the General Assembly shall not submit more than three (3)
 2 proposed amendments at a general election.

3 (B) Proposed amendments under this section shall be
 4 submitted as to enable the electors to vote on each amendment separately.

5 (b) A joint resolution proposing an amendment to this Constitution
 6 that receives an affirmative vote of each house of the General Assembly shall
 7 be submitted to the electors of the state for approval or rejection at the
 8 next general election.

9 (c)(1) The General Assembly shall designate in the joint resolution
 10 proposing an amendment to this Constitution the ballot title and popular name
 11 that shall appear on the general election ballot.

12 (2) The ballot title and popular name designated in the joint
 13 resolution shall be an impartial summary of the proposed amendment that
 14 briefly and concisely gives voters a fair understanding of the:

15 (A) Purpose of the proposed amendment to this
 16 Constitution;

17 (B) Issues presented by the proposed amendment to this
 18 Constitution; and

19 (C) Scope and significance of the proposed amendment to
 20 this Constitution.

21 (3)(A) Within thirty (30) days of the adoption of a joint
 22 resolution proposing an amendment to this Constitution by the General
 23 Assembly, the Attorney General shall:

24 (i) Review the ballot title and popular name
 25 designated in the joint resolution; and

26 (ii) Certify the ballot title and popular name for
 27 inclusion on the ballot at the next general election if the Attorney General
 28 determines that the ballot title and popular name satisfy subdivision (c)(2)
 29 of this section.

30 (B) If the Attorney General believes after his or her
 31 review that the ballot title or popular name, or both, does not satisfy
 32 subdivision (c)(2) of this section, the Attorney General shall substitute and
 33 certify a ballot title or popular name, or both, that satisfies subdivision
 34 (c)(2) of this section.

35 (d) An elector of state who believes that the ballot title or popular
 36 name of a proposed amendment submitted under this section does not satisfy

1 subdivision (c)(2) of this section may by petition apply to the Supreme Court
2 for proper relief.

3 (e)(1) If an amendment to this Constitution proposed by the General
4 Assembly meets the requirements of this section, the proposed amendment and
5 its ballot title and popular name shall be published as provided by law.

6 (2) If the majority of the electors voting on the amendment at
7 the general election approve the amendment, it shall become part of this
8 Constitution.

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

12 § 2. Additional Constitutional amendments authorized.

13 (a) In addition to the three amendments to the Constitution allowed
14 pursuant to Article 19, § 22, either branch of the General Assembly at a
15 regular session thereof may propose an amendment to the Constitution to
16 change the salaries for the offices of Governor, Lieutenant Governor,
17 Attorney General, Secretary of State, Treasurer of State, Commissioner of
18 State Lands, and Auditor of State and for members of the General Assembly. If
19 the same be agreed to by a majority of all members elected to each house,
20 such proposed amendment shall be entered on the journals with the yeas and
21 nays, and published in at least one newspaper in each county, where a
22 newspaper is published, for six months immediately preceding the next general
23 election for Senators and Representatives, at which time the same shall be
24 submitted to the electors of the State for approval or rejection. If a
25 majority of the electors voting at such election adopt the amendment the same
26 shall become a part of this Constitution.

27 (b) Only one amendment to the Constitution may be referred pursuant to
28 this section.

29 (c) An amendment proposed under the authority of this section shall
30 comply with the requirements of Arkansas Constitution, Article 19, § 22.

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32 SECTION 3. BALLOT TITLE AND POPULAR NAME. When this proposed
33 amendment is submitted to the electors of this 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 Revising the Process through which the General Assembly Submits
3 Proposed Constitutional Amendments to the Electors of the State at a General
4 Election, Including Without Limitation Requiring a Three-Fourths Vote of the
5 General Assembly to Propose a Constitutional Amendment, Requiring the Ballot
6 Title and Popular Name of an Amendment Proposed by the General Assembly to
7 Contain an Impartial Summary of the Proposed Amendment, and Authorizing the
8 Attorney General to Substitute a Ballot Title or Popular Name, or Both, in
9 Place of Ballot Titles and Popular Names Proposed by the General Assembly
10 that Fail to Comply with Article 19, § 22, of the Arkansas Constitution".

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