

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

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

HJR 1020

4  
5 By: Representative Dotson  
6 By: Senator A. Clark

**HOUSE JOINT RESOLUTION**

9 A CONSTITUTIONAL AMENDMENT TO BE KNOWN AS THE  
10 "ARKANSAS TERM LIMITS AMENDMENT"; AN AMENDMENT TO THE  
11 ARKANSAS CONSTITUTION CONCERNING THE TERMS SERVED BY  
12 CERTAIN ELECTED CONSTITUTIONAL OFFICERS; REDUCING  
13 TERM LIMITS FOR MEMBERS OF THE GENERAL ASSEMBLY AND  
14 ESTABLISHING TERM LIMITS FOR JUSTICES OF THE SUPREME  
15 COURT, JUDGES OF THE COURT OF APPEALS, CIRCUIT  
16 JUDGES, AND DISTRICT JUDGES; AND PROVIDING THAT  
17 FUTURE REVISIONS TO TERM LIMITS FOR THE GENERAL  
18 ASSEMBLY AND THE JUDICIARY SHALL BE PROPOSED BY THE  
19 GENERAL ASSEMBLY.

**Subtitle**

THE ARKANSAS TERM LIMITS AMENDMENT.

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22  
23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL  
24 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL  
25 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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



## 1 SECTION 1. LEGISLATIVE INTENT.

2 (a) The General Assembly finds that:3 (1) The Arkansas Constitution establishes several elected  
4 positions to serve the citizens of the State of Arkansas, including the  
5 elected constitutional officers of the executive branch, the members of the  
6 General Assembly, and judges;7 (2) These elected officials serve as representatives of the  
8 people of the State of Arkansas; and9 (3) Each provision of this amendment is intended to allow the  
10 citizens of the State of Arkansas to amend the Arkansas Constitution  
11 concerning the terms served by certain elected constitutional officers in  
12 this state.13 (b) The General Assembly finds that this proposed constitutional  
14 amendment addresses the subject of the terms served by certain elected  
15 constitutional officers by reducing the existing term limits for persons  
16 first elected to the General Assembly on or after January 1, 2021,  
17 establishing judicial term limits for judges first elected on or after  
18 January 1, 2021, and reserving the right to amend legislative and judicial  
19 term limits in the future to the General Assembly.20  
21 SECTION 2. Arkansas Constitution, Amendment 73, § 2, is amended to  
22 read as follows:

## 23 § 2. Legislative Branch.

24 (a) The Arkansas House of Representatives shall consist of members to  
25 be chosen every second year by the qualified electors of the several  
26 counties.27 (b) The Arkansas Senate shall consist of members to be chosen every  
28 four (4) years by the qualified electors of the several districts.29 (c)(1)(A) A Except as provided in subdivision (c)(1)(E) of this  
30 section, a person first elected as a member of the General Assembly prior to  
31 January 1, 2021, shall serve no more than sixteen (16) years, whether  
32 consecutive or nonconsecutive.33 ~~(2)~~(B) A member first elected as a member of the General  
34 Assembly prior to January 1, 2021, who completes his or her sixteenth year of  
35 service during a term of office for which he or she has been elected may  
36 serve until the completion of that term of office.

1                   ~~(3)~~(C) The years of service in both the Senate and the  
2 House of Representatives shall be added together and included to determine  
3 the total number of years in office of a member of the General Assembly first  
4 elected as a member of the General Assembly prior to January 1, 2021.

5                   ~~(4)~~(D) A partial legislative term served as a result of a  
6 special election under Article 5, § 6, or a two-year term served as a result  
7 of apportionment of the Senate shall not be included in calculating the total  
8 number of years served by a member of the General Assembly first elected as a  
9 member of the General Assembly prior to January 1, 2021.

10                   (E)(i) A person who has served sixteen (16) years in the General  
11 Assembly under subdivision (c)(1)(A) shall not be eligible for subsequent  
12 service in the General Assembly until four (4) years after the expiration of  
13 the last term of office for which he or she was elected.

14                   (ii) Subsequent service in the General Assembly  
15 under subdivision (c)(1)(E)(i) of this section shall be as provided under  
16 subdivision (c)(2) of this section.

17                   (2)(A)(i) A person first elected as a member of the General  
18 Assembly on or after January 1, 2021, shall serve no more than twelve (12)  
19 consecutive years.

20                   (ii) A member of the General Assembly first elected  
21 to the General Assembly on or after January 1, 2021, who serves twelve (12)  
22 or more consecutive years shall not be eligible for subsequent service in the  
23 General Assembly until four (4) years after the expiration of the last term  
24 of office for which he or she was elected.

25                   (B) A member first elected to the General Assembly on or  
26 after January 1, 2021, who completes his or her twelfth consecutive year of  
27 service during a term of office for which he or she has been elected may  
28 serve until the completion of that term of office.

29                   (C) Consecutive years of service in both the Senate and  
30 the House of Representatives shall be added together and included to  
31 determine the total number of consecutive years in office of a member first  
32 elected to the General Assembly on or after January 1, 2021.

33                   (D)(i) A two-year term served as a result of apportionment  
34 of the Senate shall be included in calculating the total number of  
35 consecutive years served by a member of the General Assembly first elected to  
36 the General Assembly on or after January 1, 2021.

1                    (ii) A partial legislative term served as a result  
2 of a special election to fill a vacancy in the General Assembly shall not be  
3 included in calculating the total number of consecutive years served by a  
4 member of the General Assembly first elected to the General Assembly on or  
5 after January 1, 2021.

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7            SECTION 3. Arkansas Constitution, Amendment 73, § 6, is amended to  
8 read as follows:

9            § 6. Application.

10            (a) This Except as provided in § 2(c) of this Amendment, this  
11 Amendment to the Arkansas Constitution shall take effect and be in operation  
12 on January 1, 1993, and its provisions shall be applicable to all person  
13 thereafter seeking election to the offices specified in this Amendment.

14            (b) All laws and constitutional provisions which conflict with this  
15 Amendment are hereby repealed to the extent that they conflict with this  
16 amendment.

17  
18            SECTION 4. Arkansas Constitution, Amendment 73, is amended to add an  
19 additional section to read as follows:

20            § 7. Authority to propose amendments.

21            (a) The citizens of the State of Arkansas find that:

22                    (1) While term limits play an important role in state  
23 government, they should be balanced by the need to maintain an experienced  
24 legislative branch that can serve as an effective check on the executive and  
25 judicial branches;

26                    (2) Frequent amendments to legislative term limits initiated by  
27 special interests and others outside of the General Assembly weaken the  
28 legislative branch and impair the representation of Arkansas citizens; and

29                    (3) The ability to amend legislative term limits in the future  
30 should be limited to a referral to the qualified electors of the state by the  
31 General Assembly to ensure that the legislative branch provides the citizens  
32 of the state with experienced representation and is immune from outside  
33 forces revising term limits in a manner that is not in the best interests of  
34 the state.

35            (b)(1) The power to propose an amendment to this Constitution  
36 amending or repealing term limits for members of the House of Representatives

1 or Senate is reserved to the General Assembly under Arkansas Constitution,  
2 Article 19, § 22.

3 (2) The people of the State of Arkansas do not have authority  
4 under Arkansas Constitution, Article 5, § 1, to propose an amendment to this  
5 Constitution amending or repealing term limits for members of the House of  
6 Representatives or Senate.

7  
8 SECTION 5. Arkansas Constitution, Amendment 80, § 16, is amended to  
9 read as follows:

10 § 16. Qualifications and terms of justices and judges.

11 (A)(1) Justices of the Supreme Court and Judges of the Court of  
12 Appeals shall have been licensed attorneys of this state for at least eight  
13 (8) years immediately preceding the date of assuming office. They shall serve  
14 eight-year terms.

15 (2)(a)(i) A person first elected as a Justice of the Supreme  
16 Court on or after January 1, 2021, shall not serve more than twelve (12)  
17 consecutive years as a Justice of the Supreme Court.

18 (ii) A Justice of the Supreme Court under this  
19 subdivision (A)(2) who serves twelve (12) or more consecutive years shall not  
20 be eligible for subsequent service as a Justice of the Supreme Court until  
21 four (4) years after the expiration of the last term of office for which he  
22 or she was elected.

23 (b) A Justice of the Supreme Court under this subdivision  
24 (A)(2) who completes his or her twelfth consecutive year of service during a  
25 term of office for which he or she has been elected may serve until the  
26 completion of that term of office.

27 (c) Service as an appointed Justice of the Supreme Court  
28 to fill a vacancy shall be considered toward the twelve-year limitation under  
29 this subdivision (A)(2).

30 (d) A commission to serve as a Special Justice under § 13  
31 of this amendment shall not be considered toward the twelve-year limitation  
32 under this subdivision (A)(2).

33 (e) This subdivision (A)(2) does not apply to a person  
34 first elected as a Justice of the Supreme Court prior to January 1, 2021.

35 (3)(a)(i) A person first elected as a Judge of the Court of  
36 Appeals on or after January 1, 2021, shall not serve more than twelve (12)

1 consecutive years as a Judge of the Court of Appeals.

2 (ii) A Judge of the Court of Appeals under this  
3 subdivision (A)(3) who serves twelve (12) or more consecutive years shall not  
4 be eligible for subsequent service as a Judge of the Court of Appeals until  
5 four (4) years after the expiration of the last term of office for which he  
6 or she was elected.

7 (b) A Judge of the Court of Appeals under this subdivision  
8 (A)(3) who completes his or her twelfth consecutive year of service during a  
9 term of office for which he or she has been elected may serve until the  
10 completion of that term of office.

11 (c) Service as an appointed Judge of the Court of Appeals  
12 to fill a vacancy shall be considered toward the twelve-year limitation under  
13 this subdivision (A)(3).

14 (d) A commission to serve as a Special Judge under § 13 of  
15 this amendment shall not be considered toward the twelve-year limitation  
16 under this subdivision (A)(3).

17 (e) This subdivision (A)(3) does not apply to a person  
18 first elected as a Judge of the Court of Appeals prior to January 1, 2021.

19 (B)(1) Circuit Judges shall have been licensed attorneys of this state  
20 for at least six (6) years immediately preceding the date of assuming office.  
21 They shall serve six-year term.

22 (2)(a)(i) A person first elected as a Circuit Judge on or after  
23 January 1, 2021, shall not serve more than twelve (12) consecutive years as a  
24 Circuit Judge.

25 (ii) A Circuit Judge under this subdivision (B)(2)  
26 who serves twelve (12) or more consecutive years shall not be eligible for  
27 subsequent service as a Circuit Judge until four (4) years after the  
28 expiration of the last term of office for which he or she was elected.

29 (b) A Circuit Judge under this subdivision (B)(2) who  
30 completes his or her twelfth consecutive year of service during a term of  
31 office for which he or she has been elected may serve until the completion of  
32 that term of office.

33 (c) Service as an appointed Circuit Judge to fill a  
34 vacancy shall be considered toward the twelve-year limitation under this  
35 subdivision (B)(2).

36 (d) Service as a Special Judge under § 13 of this

1 amendment shall not be considered toward the twelve-year limitation under  
2 this subdivision (B)(2).

3 (e) This subdivision (B)(2) does not apply to a person  
4 first elected as a Circuit Judge prior to January 1, 2021.

5 (C)(1) District Judges shall have been licensed attorneys of this  
6 state for at least four (4) years immediately preceding the date of assuming  
7 office. They shall serve four-year terms.

8 (2)(a)(i) A person first elected as a District Judge on or after  
9 January 1, 2021, shall not serve more than twelve (12) consecutive years as a  
10 District Judge.

11 (ii) A District Judge under this subdivision (C)(2)  
12 who serves twelve (12) or more consecutive years shall not be eligible for  
13 subsequent service as a District Judge until four (4) years after the  
14 expiration of the last term of office for which he or she was elected.

15 (b) A District Judge under this subdivision (C)(2) who  
16 completes his or her twelfth year of service during a term of office for  
17 which he or she has been elected may serve until the completion of that term  
18 of office.

19 (c) Service as an appointed District Judge to fill a  
20 vacancy shall be considered toward the twelve-year limitation under this  
21 subdivision (C)(2).

22 (d) Service as a Special Judge under § 13 of this  
23 amendment shall not be considered toward the twelve-year limitation under  
24 this subdivision (C)(2).

25 (e) This subdivision (C)(2) does not apply to a person  
26 first elected as a District Judge prior to January 1, 2021.

27 (D) All Justices and Judges shall be qualified electors within the  
28 geographical area from which they are chosen, and Circuit and District Judges  
29 shall reside within that geographical area at the time of election and during  
30 their period of service. A geographical area may include any county  
31 contiguous to the county to be served when there are no qualified candidates  
32 available in the county to be served.

33 (E) The General Assembly shall by law determine the amount and method  
34 of payment of expenses of Justices and Judges. Such expenses may be  
35 increased, but not diminished, during the term for which such Justices or  
36 Judges are selected or elected.

1 (F) Circuit, District, and Appellate Court Judges and Justices shall  
2 not be allowed any fees or perquisites of office, nor hold any other office  
3 of trust or profit under this state or the United States, except as  
4 authorized by law.

5  
6 SECTION 6. Arkansas Constitution, Amendment 80, is amended to add an  
7 additional section to read as follows:

8 § 23. Authority to propose amendments.

9 (a) The citizens of the State of Arkansas find that:

10 (1) The term limits for Justices of the Supreme Court, Judges of  
11 the Court of Appeals, Circuit Judges, and District Judges established under  
12 this amendment should be balanced by the need to maintain an experienced  
13 judicial branch that can serve as an effective check on the executive and  
14 legislative branches;

15 (2) Frequent amendments to judicial term limits initiated by  
16 special interests and others outside of the General Assembly would serve to  
17 weaken the judicial branch and impair the representation of Arkansas  
18 citizens; and

19 (3) The ability to amend judicial term limits in the future  
20 should be limited to a referral to the qualified electors of the state by the  
21 General Assembly to ensure that the judicial branch provides the citizens of  
22 the state with experienced representation and is immune from outside forces  
23 revising term limits in a manner that is not in the best interests of the  
24 state.

25 (b)(1) The power to propose an amendment to this Constitution  
26 amending or repealing the term limits for Justices of the Supreme Court,  
27 Judges of the Court of Appeals, Circuit Judges, and District Judges  
28 established under this amendment is reserved to the General Assembly under  
29 Arkansas Constitution, Article 19, § 22.

30 (2) The people of the State of Arkansas do not have authority  
31 under Arkansas Constitution, Article 5, § 1, to propose an amendment to this  
32 Constitution amending or repealing the term limits for Justices of the  
33 Supreme Court, Judges of the Court of Appeals, Circuit Judges, and District  
34 Judges established under this amendment.

35  
36 SECTION 7. This amendment shall be effective on and after January 1,



1 2021.

2  
3 SECTION 8. BALLOT TITLE AND POPULAR NAME. When this proposed  
4 amendment is submitted to the electors of this state on the general election  
5 ballot:

6 (1) The title of this joint resolution shall be the ballot  
7 title; and

8 (2) The popular name shall be "An Amendment to the Arkansas  
9 Constitution Addressing Arkansas Term Limits by Reducing Term Limits for  
10 Members of the General Assembly, Establishing Term Limits for Justices of the  
11 Supreme Court, Judges of the Court of Appeals, Circuit Judges, and District  
12 Judges, and Providing that Future Revisions to Term Limits for the General  
13 Assembly and the Judiciary Be Proposed by the General Assembly".