

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

1 State of Arkansas *As Engrossed: H2/26/19*

2 92nd General Assembly

3 Regular Session, 2019

HJR 1029

4

5 By: Representative Sorvillo

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**HOUSE JOINT RESOLUTION**

8

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REQUIRE

9

THAT THE GENERAL ASSEMBLY MEET EACH YEAR IN A REGULAR

10

SESSION; AND TO REPEAL THE FISCAL SESSION OF THE

11

GENERAL ASSEMBLY.

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**Subtitle**

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A CONSTITUTIONAL AMENDMENT TO REQUIRE

16

THAT THE GENERAL ASSEMBLY MEET EACH YEAR

17

IN A REGULAR SESSION.

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20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL

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

22 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

23

24 THAT the following is proposed as an amendment to the Constitution of

25 the State of Arkansas, and upon being submitted to the electors of the state

26 for approval or rejection at the next general election for Representatives

27 and Senators, if a majority of the electors voting thereon at the election

28 adopt the amendment, the amendment shall become a part of the Constitution of

29 the State of Arkansas, to wit:

30

31 SECTION 1. Arkansas Constitution, Article 5, § 5, is amended to read

32 as follows:

33 § 5. Regular ~~and fiscal~~ sessions.

34 (a) The General Assembly shall meet at the seat of government every

35 year.

36 (b)(1) The General Assembly shall meet in regular session on the



1 second Monday in January of each ~~odd-numbered~~ year to consider any bill or  
2 resolution.

3 (2) The General Assembly may alter the time at which the regular  
4 session begins.

5 ~~(c)(1) Beginning in 2010, the General Assembly shall meet in fiscal~~  
6 ~~session on the second Monday in February of each even-numbered year to~~  
7 ~~consider only appropriation bills. The General Assembly may alter the time~~  
8 ~~at which the fiscal session begins.~~

9 ~~(2) A bill other than an appropriation bill may be considered in~~  
10 ~~a fiscal session if two-thirds (2/3) of the members of each house of the~~  
11 ~~General Assembly approve consideration of the bill.~~

12 ~~(d) The General Assembly, by a vote of two-thirds (2/3) of the members~~  
13 ~~elected to each house of the General Assembly, may alter the dates of the~~  
14 ~~regular session and fiscal session so that regular sessions occur in even~~  
15 ~~numbered years and the fiscal sessions occur in odd-numbered years.~~

16

17 SECTION 2. Arkansas Constitution, Article 5, § 17, is amended to read  
18 as follows:

19 § 17. Duration of sessions.

20 (a) A regular ~~biennial~~ session in an odd-numbered year shall not  
21 exceed sixty (60) calendar days in duration, unless extended by a vote of  
22 two-thirds (2/3) of the members elected to each house of the General  
23 Assembly. ~~The~~ A regular biennial session in an odd-numbered year shall not  
24 exceed seventy five (75) calendar days in duration, unless extended by a vote  
25 of three-fourths ( $\frac{3}{4}$ ) of the members elected to each house of the General  
26 Assembly.

27 (b) A ~~fiscal~~ regular session in an even-numbered year shall not exceed  
28 thirty (30) calendar days in duration, except that by a vote of three-fourths  
29 ( $\frac{3}{4}$ ) of the members elected to each house of the General Assembly a ~~fiscal~~  
30 regular session in an even-numbered year may be extended one (1) time by no  
31 more than fifteen (15) calendar days.

32 (c) *Provided, that this section shall not apply when impeachments are*  
33 *pending.*

34

35 SECTION 3. Arkansas Constitution, Article 5, § 18, is amended to read  
36 as follows:

1 § 18. Presiding officers.

2 Each house, at the beginning of every regular session of the General  
3 Assembly in an odd-numbered year, and whenever a vacancy may occur, shall  
4 elect from its members a presiding officer, to be styled, respectively, the  
5 President of the Senate, and the Speaker of the House of Representatives; and  
6 whenever, at the close of any session, it may appear that the term of the  
7 member elected President of the Senate will expire before the next regular  
8 session, the Senate shall elect another President from those members whose  
9 terms of office continue over, who shall qualify and remain President of the  
10 Senate until his successor may be elected and qualified; and who, in the case  
11 of a vacancy in the office of Governor, shall perform the duties and exercise  
12 the powers of Governor as elsewhere herein provided.

13  
14 SECTION 4. Arkansas Constitution, Article 5, § 34, is amended to read  
15 as follows:

16 § 34. Introduction of bills – Time limit.

17 No new bill shall be introduced into either house during the last three  
18 days of a regular ~~or fiscal~~ session.

19  
20 SECTION 5. Arkansas Constitution, Article 5, § 42(b), concerning the  
21 review and approval of administrative rules by a legislative committee, is  
22 amended to read as follows:

23 (b) The review and approval by a legislative committee under  
24 subsection (a) of this section may occur during the interim or during a  
25 regular, or special, ~~or fiscal~~ session of the General Assembly.

26  
27 SECTION 6. Arkansas Constitution, Article 19, § 22, is amended to read  
28 as follows:

29 § 22. Constitutional amendments.

30 Either branch of the General Assembly, at a regular session ~~thereof~~ in  
31 an odd-numbered year, may propose amendments to this Constitution; and if the  
32 same be agreed to by a majority of all members elected to each house, such  
33 proposed amendments shall be entered on the journals with the yeas and nays,  
34 and published in at least one newspaper in each county, where a newspaper is  
35 published, for six months immediately preceding the next general election for  
36 Senators and Representatives, at which time the same shall be submitted to

1 the electors of the State, for approval or rejection; and if a majority of  
2 the electors voting at such election adopt such amendments, the same shall  
3 become a part of this Constitution. But no more than three amendments shall  
4 be proposed or submitted at the same time. They shall be so submitted as to  
5 enable the electors to vote on each amendment separately.

6  
7 SECTION 7. Arkansas Constitution, Amendment 70, § 2, is amended to  
8 read as follows:

9 § 2. Additional Constitutional amendments authorized.

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

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26 SECTION 8. Nothing in this amendment shall be construed to alter the  
27 Governor's authority to call an extraordinary session of the General Assembly  
28 under Arkansas Constitution, Article 6, § 19.

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30 SECTION 9. EFFECTIVE DATE. This amendment is effective on and after  
31 January 1, 2021.

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33 SECTION 10. BALLOT TITLE AND POPULAR NAME. When this proposed  
34 amendment is submitted to the electors of this state on the general election  
35 ballot:

36 (1) The title of this Joint Resolution shall be the ballot

1 title; and

2 (2) The popular name shall be "A Constitutional Amendment to  
3 Require that the General Assembly Meet Each Year in a Regular Session and to  
4 Repeal the Fiscal Session of the General Assembly".

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6 */s/Sorvillo*

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