

**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

SJR 17

4  
5 By: Senator G. Stubblefield  
6 By: Representatives Capp, Gazaway, Vaught

**SENATE JOINT RESOLUTION**

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9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PERMIT  
10 LIMITS ON AWARDS OF PUNITIVE DAMAGES IN CIVIL  
11 ACTIONS.

**Subtitle**

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15 A CONSTITUTIONAL AMENDMENT PERMITTING  
16 LIMITS ON AWARDS OF PUNITIVE DAMAGES.

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

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

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30 SECTION 1. Arkansas Constitution, Article 5, § 32, is amended to read  
31 as follows:

32 § 32. Workmen's Compensation Laws – Actions for personal injuries.

33 (a) The General Assembly shall have power to enact laws prescribing  
34 the amount of compensation to be paid by employers for injuries to or death  
35 of employees, and to whom said payment shall be made. It shall have power to  
36 provide the means, methods, and forum for adjudicating claims arising under



1 said laws, and for securing payment of same.

2 (b) The General Assembly may enact laws limiting the amount of  
3 punitive damages that may be awarded for each claimant in actions for  
4 injuries resulting in death or for injuries to persons or property, including  
5 without limitation medical injuries.

6 (c) Provided, that otherwise no law shall be enacted limiting the  
7 amount to be recovered for injuries resulting in death or for injuries to  
8 persons or property; and in case of death from such injuries the right of  
9 action shall survive, and the General Assembly shall prescribe for whose  
10 benefit such action shall be prosecuted.

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12 SECTION 2. BALLOT TITLE AND POPULAR NAME. When this proposed  
13 amendment is submitted to the electors of this state on the general election  
14 ballot:

15 (1) The popular name for this proposed amendment shall be "An  
16 Amendment to the Arkansas Constitution Concerning Limits on Awards of  
17 Punitive Damages in Civil Actions"; and

18 (2) The ballot title for this proposed amendment shall be "An  
19 Amendment to the Arkansas Constitution Providing that the General Assembly  
20 May Enact Laws Limiting the Amount of Punitive Damages that May Be Awarded in  
21 Actions for Injuries Resulting in Death or for Injuries to Persons or  
22 Property".

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