

1 State of Arkansas

2 93rd General Assembly

3 Regular Session, 2021

SJR 15

4
5 By: Senator A. Clark

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7 **SENATE JOINT RESOLUTION**

8 AN AMENDMENT TO THE ARKANSAS CONSTITUTION REQUIRING
9 THE GOVERNOR TO CONVENE AN EXTRAORDINARY SESSION OF
10 THE GENERAL ASSEMBLY WHEN DECLARING AN EMERGENCY BY
11 EXECUTIVE ORDER OR PROCLAMATION FOR THE PURPOSE OF
12 CONSIDERING LEGISLATION RELATED TO THE EMERGENCY;
13 AUTHORIZING THE GENERAL ASSEMBLY TO TAKE
14 ADMINISTRATIVE ACTION REGARDING THE EXECUTIVE HEAD OF
15 A STATE AGENCY DURING AN EXTRAORDINARY SESSION THAT
16 RUNS CONCURRENT WITH A DECLARED EMERGENCY; AND
17 PROVIDING THAT AN EXTRAORDINARY SESSION CONVENED DUE
18 TO THE DECLARATION OF AN EMERGENCY SHALL ADJOURN SINE
19 DIE UPON THE TERMINATION OF THE EMERGENCY
20 DECLARATION.

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23 **Subtitle**

24 A CONSTITUTIONAL AMENDMENT REQUIRING THE
25 GOVERNOR TO CONVENE AN EXTRAORDINARY
26 SESSION OF THE GENERAL ASSEMBLY WHEN
27 DECLARING AN EMERGENCY BY EXECUTIVE ORDER
28 OR PROCLAMATION.

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

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35 That the following is proposed as an amendment to the Constitution of
36 the State of Arkansas, and upon being submitted to the electors of the state



for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Arkansas Constitution, Article 6, Section 19, is amended to read as follows:

§ 19. Extraordinary sessions of General Assembly – Calling – Purposes.

(a) The Governor may, by proclamation, on extraordinary occasions, convene the General Assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy or contagious disease; and he shall specify in his proclamation the purpose for which they are convened; and no other business than that set forth therein shall be transacted until the same shall have been disposed of; after which they may, by a vote of two-thirds of all the members elected to both houses, entered upon their journals, remain in session not exceeding fifteen days.

(b)(1) If the Governor declares by executive order or proclamation that an emergency exists in the state, he or she shall convene the General Assembly in extraordinary session within twenty-four (24) hours of the declaration of the emergency.

(2)(A) Except as provided under subdivision (b)(2)(B) of this section, the purpose of an extraordinary session under subdivision (b)(1) of this section shall be the consideration of legislation related to the emergency declared by the Governor.

(B) During an extraordinary session under subdivision (b)(1) of this section, the General Assembly may take administrative action regarding the executive head of a state agency, including without limitation:

(i) Terminating the employment of the executive head of the state agency; and

(ii) Hiring an individual to serve as the executive head of the state agency.

(3)(A) The extraordinary session shall:

(i) Continue for the duration of the emergency declared by the Governor; and

(ii) Adjourn sine die upon the termination of the

emergency declaration.

(B) The General Assembly may meet as necessary during an extraordinary session under subdivision (b)(1) of this section, including without limitation recessing for one (1) or more days and subsequently reconvening.

SECTION 2. EFFECTIVE DATE. This amendment shall be effective on and after November 9, 2022.

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

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

(2) The popular name shall be "A Constitutional Amendment Requiring the Governor to Convene an Extraordinary Session of the General Assembly When Declaring an Emergency by Executive Order or Proclamation".