

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

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

HJR 1011

4
5 By: Representative Pilkington

HOUSE JOINT RESOLUTION

8 AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING
9 CONSTITUTIONAL AMENDMENTS CONSIDERED BY ELECTORS AT A
10 GENERAL ELECTION; PROVIDING THAT A MEASURE SUBMITTED
11 UNDER ARKANSAS CONSTITUTION, ARTICLE 5, § 1,
12 PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION
13 SHALL BECOME A PART OF THE ARKANSAS CONSTITUTION IF
14 AT LEAST TWO-THIRDS OF THE ELECTORS VOTING AT THE
15 GENERAL ELECTION ADOPT THE AMENDMENT; PROVIDING THAT
16 THE GENERAL ASSEMBLY MAY PROPOSE NO MORE THAN TWO
17 CONSTITUTIONAL AMENDMENTS AT THE SAME GENERAL
18 ELECTION, EXCEPT THAT A THIRD AMENDMENT MAY BE
19 PROPOSED ADDRESSING THE SALARIES OF CERTAIN ELECTED
20 STATE OFFICIALS; PROVIDING THAT AN AMENDMENT TO THE
21 ARKANSAS CONSTITUTION PROPOSED BY THE GENERAL
22 ASSEMBLY SHALL BECOME A PART OF THE ARKANSAS
23 CONSTITUTION IF AT LEAST TWO-THIRDS OF THE ELECTORS
24 VOTING AT THE GENERAL ELECTION ADOPT THE AMENDMENT;
25 AND PROVIDING THAT THIS AMENDMENT SHALL BECOME A PART
26 OF THE ARKANSAS CONSTITUTION IF AT LEAST TWO-THIRDS
27 OF THE ELECTORS VOTING AT THE GENERAL ELECTION AT
28 WHICH IT IS CONSIDERED ADOPT THE AMENDMENT.

Subtitle

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31 AN AMENDMENT TO THE ARKANSAS CONSTITUTION
32 CONCERNING CONSTITUTIONAL AMENDMENTS
33 CONSIDERED BY ELECTORS AT A GENERAL
34 ELECTION.
35
36



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2 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL
3 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL
4 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
5

6 THAT the following is proposed as an amendment to the Constitution of
7 the State of Arkansas, and upon being submitted to the electors of the state
8 for approval or rejection at the next general election for Representatives
9 and Senators, if two-thirds (2/3) of the electors voting thereon at the
10 election adopt the amendment, the amendment shall become a part of the
11 Constitution of the State of Arkansas, to wit:
12

13 SECTION 1. The subsection of Arkansas Constitution, Article 5, § 1,
14 titled "Majority", is amended to read as follows:

15 Majority Approval. Any measure submitted to the people as herein
16 provided shall take effect and become a law when approved by a majority of
17 the votes cast upon such measure, and not otherwise, and shall not be
18 required to receive a majority of the electors voting at such election. Such
19 measures shall be operative on and after the thirtieth day after the election
20 at which it is approved, unless otherwise specified in the ~~Act~~ measure.
21 However, a measure proposing an amendment to this Constitution shall become a
22 part of this Constitution if at least two-thirds (2/3) of the electors voting
23 at the election adopt the amendment.

24 This section shall not be construed to deprive any member of the
25 General Assembly of the right to introduce any measure, but no measure shall
26 be submitted to the people by the General Assembly, except a proposed
27 constitutional amendment or amendments as provided for in this Constitution.
28

29 SECTION 2. The subsection of Arkansas Constitution, Article 5, § 1,
30 titled "Conflicting Measures", is amended to read as follows:

31 Conflicting Measures. If conflicting measures initiated or referred to
32 the people shall be approved by a majority of the votes severally cast for
33 and against the same at the same election, the one receiving the highest
34 number of affirmative votes shall become law. However, if conflicting
35 measures initiated or referred to the people proposing an amendment to this
36 Constitution shall be approved by at least two-thirds (2/3) of the votes

1 severally cast for and against the proposed amendment to this Constitution at
2 the same election, the proposed amendment receiving the highest number of
3 affirmative votes shall become a part of this Constitution.

4
5 SECTION 3. Arkansas Constitution, Article 19, § 22, is amended to read
6 as follows:

7 § 22. Constitutional amendments.

8 Either branch of the General Assembly, at a regular session thereof,
9 may propose amendments to this Constitution; and if the same be agreed to by
10 a majority of all members elected to each house, such proposed amendments
11 shall be entered on the journals with the yeas and nays, and published in at
12 least one (1) newspaper in each county, where a newspaper is published, for
13 six (6) months immediately preceding the next general election for Senators
14 and Representatives, at which time the same shall be submitted to the
15 electors of the State, for approval or rejection; and if ~~a majority~~ at least
16 two-thirds (2/3) of the electors voting at such election adopt such
17 amendments, the same shall become a part of this Constitution. But no more
18 than ~~three~~ two (2) amendments shall be proposed or submitted at the same
19 time. They shall be so submitted as to enable the electors to vote on each
20 amendment separately.

21
22 SECTION 4. Arkansas Constitution, Amendment 70, § 2, is amended to
23 read as follows:

24 § 2. Additional Constitutional amendments authorized.

25 In addition to the ~~three~~ two (2) amendments to the Constitution allowed
26 pursuant to Article 19, § 22, either branch of the General Assembly at a
27 regular session thereof may propose an amendment to the Constitution to
28 change the salaries for the offices of Governor, Lieutenant Governor,
29 Attorney General, Secretary of State, Treasurer of State, Commissioner of
30 State Lands, and Auditor of State and for members of the General Assembly. If
31 the same be agreed to by a majority of all members elected to each house,
32 such proposed amendment shall be entered on the journals with the yeas and
33 nays, and published in at least one (1) newspaper in each county, where a
34 newspaper is published, for six (6) months immediately preceding the next
35 general election for Senators and Representatives, at which time the same
36 shall be submitted to the electors of the State for approval or rejection. If

1 ~~a majority~~ at least two-thirds (2/3) of the electors voting at such election
2 adopt the amendment the same shall become a part of this Constitution. Only
3 one (1) amendment to the Constitution may be referred pursuant to this
4 section.

5
6 SECTION 5. REQUIRED VOTE FOR PASSAGE. This amendment shall become a
7 part of the Arkansas Constitution if at least two-thirds (2/3) of the
8 electors voting at the general election at which it is considered adopt the
9 amendment.

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11 SECTION 6. EFFECTIVE DATE. This amendment is effective on and after
12 January 1, 2025.

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14 SECTION 7. BALLOT TITLE AND POPULAR NAME. When this proposed
15 amendment is submitted to the electors of this state on the general election
16 ballot:

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

19 (2) The popular name shall be "A Constitutional Amendment
20 Concerning Constitutional Amendments Considered by Electors at a General
21 Election; Providing That a Measure Submitted Under Arkansas Constitution,
22 Article 5, § 1, Proposing an Amendment to the Arkansas Constitution Shall
23 Become a Part of the Arkansas Constitution if At Least Two-Thirds of the
24 Electors Voting at the General Election Adopt the Amendment; Providing That
25 the General Assembly May Propose No More Than Two Constitutional Amendments
26 at the Same General Election, Except That a Third Amendment May Be Proposed
27 Addressing the Salaries of Certain Elected State Officials; Providing That an
28 Amendment to the Arkansas Constitution Proposed by the General Assembly Shall
29 Become a Part of the Arkansas Constitution If At Least Two-Thirds of the
30 Electors Voting at the General Election Adopt the Amendment; and Providing
31 That This Amendment Shall Become a Part of the Arkansas Constitution if At
32 Least Two-Thirds of the Electors Voting at the General Election at Which it
33 is Considered Adopt the Amendment."