

**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

SJR 10

4  
5 By: Senator D. Wallace  
6 By: Representative Wardlaw

**SENATE JOINT RESOLUTION**

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9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO BE KNOWN  
10 AS "MARSY'S LAW"; AND TO PROVIDE RIGHTS FOR VICTIMS  
11 OF CRIMINAL OFFENSES OR DELINQUENT ACTS.

**Subtitle**

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15 A CONSTITUTIONAL AMENDMENT TO BE KNOWN AS  
16 "MARSY'S LAW"; AND TO PROVIDE RIGHTS FOR  
17 VICTIMS OF CRIMINAL OFFENSES OR  
18 DELINQUENT ACTS.

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

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

31  
32 SECTION 1. The Arkansas Constitution is amended to add an additional  
33 amendment to read as follows:

34  
35 § 1. Title

36 This amendment shall be known and may be cited as "Marsy's Law."



1  
2 § 2. Victim's rights.

3 (a)(1) As used in this section, "victim" means a person:

4 (A) Against whom a criminal offense or delinquent act is  
5 committed; or

6 (B) Who is directly and proximately harmed by the  
7 commission of a criminal offense or delinquent act.

8 (2) "Victim" does not include:

9 (A) The accused; or

10 (B) A person whom the court finds would not act in the best  
11 interests of a deceased, incompetent, minor, or incapacitated victim.

12 (b) To preserve and protect justice for victims and due process  
13 throughout the criminal and juvenile justice systems, a victim shall have the  
14 following rights which shall be protected in a manner no less vigorous than  
15 the rights afforded to the accused:

16 (1) To be treated with fairness and respect for the victim's  
17 safety, dignity, and privacy;

18 (2) Upon request, to reasonable and timely notice of and to be  
19 present at all public proceedings involving the criminal offense or delinquent  
20 act;

21 (3) To be heard in a public proceeding:

22 (A) Involving release, plea, sentencing, disposition, and  
23 parole involving the criminal offense or delinquent act; and

24 (B) During which a right of the victim is implicated;

25 (4) To reasonable protection from the accused or any person  
26 acting on behalf of the accused;

27 (5) Upon request, to reasonable notice of any release or escape  
28 of an accused;

29 (6) To refuse an interview, deposition, or other discovery  
30 request made by the accused or any person acting on behalf of the accused;

31 (7) To full and timely restitution;

32 (8) To proceedings free from unreasonable delay and a prompt  
33 conclusion of the case;

34 (9) Upon request, to confer with an attorney for the government;  
35 and

36 (10) To be informed of all rights enumerated in this section.

1           (c)(1) The following may assert, in any trial or appellate court or  
2 before any other authority with jurisdiction over the investigation or case,  
3 and have enforced, the rights enumerated in this section and any other right  
4 afforded to the victim by law:

5                   (A) The victim;

6                   (B) The victim's attorney or other lawful representative;

7 or

8                   (C) The attorney for the government upon request of the  
9 victim.

10           (2) The court or other authority with jurisdiction shall act  
11 promptly on a request under subdivision (c)(1) of this amendment.

12           (d) This amendment does not create any cause of action for compensation  
13 or damages against:

14                   (1) The State of Arkansas;

15                   (2) Any political subdivision of the State of Arkansas;

16                   (3) Any officer, employee, or agent of the State of Arkansas or  
17 of any of its political subdivisions; or

18                   (4) Any officer or employee of the court.

19  
20           SECTION 2. EFFECTIVE DATE. This amendment is effective on and after  
21 January 1, 2025.

22  
23           SECTION 3. BALLOT TITLE AND POPULAR NAME. When this proposed  
24 amendment is submitted to the electors of this state on the general election  
25 ballot:

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

28                   (2) The popular name shall be "A Constitutional Amendment To Be  
29 Known as "Marsy's Law" and to Provide Rights for Victims of Criminal Offenses  
30 or Delinquent Acts."