

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

1 State of Arkansas *As Engrossed: S3/31/25*

2 95th General Assembly

3 Regular Session, 2025

SJR 24

4

5 By: Senator M. Johnson

6

7

8

SENATE JOINT RESOLUTION

9 *AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING*
10 *INITIATIVES, REFERENDA, AND CONSTITUTIONAL AMENDMENTS*
11 *REFERRED TO VOTERS; TO AMEND ARKANSAS CONSTITUTION,*
12 *ARTICLE 5, SECTION 1, CONCERNING INITIATIVES AND*
13 *REFERENDA; AND TO AMEND PROVISIONS OF THE ARKANSAS*
14 *CONSTITUTION CONCERNING THE REFERRAL OF PROPOSED*
15 *CONSTITUTIONAL AMENDMENTS TO VOTERS.*

16

17

18

Subtitle

19 *AN AMENDMENT TO THE ARKANSAS*
20 *CONSTITUTION CONCERNING INITIATIVES,*
21 *REFERENDA, AND CONSTITUTIONAL AMENDMENTS*
22 *REFERRED TO VOTERS.*

23

24 BE IT RESOLVED BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE
25 STATE OF ARKANSAS, AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
26 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

27

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

34

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



1 Majority. Any measure submitted to the people as herein provided shall
2 take effect and become a law when approved by a majority of the votes cast
3 upon such measure, and not otherwise, and shall not be required to receive a
4 majority of the electors voting at such election. In addition to approval by
5 a majority of the votes cast upon the measure at the election, a state-wide
6 measure shall take effect and become a law when approved by a majority of the
7 votes cast upon the measure in a majority of the counties of the state.
8 However, an act, a measure, or the portion of an act or measure subject to a
9 state-wide referendum shall be repealed if the act, measure, or portion of an
10 act or measure is rejected by a majority of the electors voting upon the
11 matter, regardless of the number of counties rejecting the act, measure, or
12 portion of an act or measure according to the votes cast in the county. Such
13 measures A measure approved under this amendment shall be operative on and
14 after the thirtieth day after the election at which it is approved, unless
15 otherwise specified in the Act.

16 This section shall not be construed to deprive any member of the
17 General Assembly of the right to introduce any measure, but no measure shall
18 be submitted to the people by the General Assembly, except a proposed
19 constitutional amendment or amendments as provided for in this Constitution.
20

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

23 Conflicting Measures. If conflicting measures initiated or referred to
24 the people ~~shall be approved by a majority of the votes severally cast for~~
25 ~~and against the same at the same election~~ are approved under this section,
26 the one receiving the highest number of affirmative votes shall become law.
27

28 SECTION 3. The subsection of Arkansas Constitution, Article 5, § 1,
29 titled "Title" is amended to read as follows:

30 Title. At the time of filing petitions the exact title to be used on
31 the ballot shall by the petitioners be submitted with the petition, and on
32 state-wide measures, shall be submitted to the State Board of Election
33 Commissioners, who shall certify such title to the Secretary of State, to be
34 placed upon the ballot; on county and municipal measures such title shall be
35 submitted to the county election board and shall by said board be placed upon
36 the ballot in such county or municipal election. The title shall be

1 readable, clear, and concise and shall not exceed five hundred (500) words.
 2 The General Assembly may enact laws establishing a standard for the
 3 readability of the title.

4
 5 SECTION 4. The subsection of Arkansas Constitution, Article 5, § 1,
 6 titled "Verification", is amended to read as follows:

7 Verification. Only legal votes shall be counted upon petitions.
 8 Petitions may be circulated and presented in parts, but each part of any
 9 petition shall have attached thereto the affidavit of the person circulating
 10 the same, that all signatures thereon were made in the presence of the
 11 affiant, and that to the best of the affiant's knowledge and belief each
 12 signature is genuine, and that the person signing is a legal voter ~~and no~~
 13 ~~other affidavit or verification shall be required to establish the~~
 14 ~~genuineness of such signatures.~~

15
 16 SECTION 5. The subsection of Arkansas Constitution, Article 5, § 1,
 17 titled "Amendment of Petition", is amended to read as follows:

18 ~~Amendment of Petition~~ Notification of Insufficiency.

19 (a)~~(1)~~ If the Secretary of State, county clerk or city clerk, as the
 20 case may be, shall decide any petition to be insufficient, he or she shall
 21 without delay notify the sponsors of such petition, ~~and permit at least~~
 22 ~~thirty (30) days from the date of such notification, in the instance of a~~
 23 ~~state wide petition, or ten (10) days in the instance of a municipal or~~
 24 ~~county petition, for correction or amendment.~~

25 ~~(2) For a state wide petition, correction or amendment of an~~
 26 ~~insufficient petition shall be permitted only if the petition contains valid~~
 27 ~~signatures of legal voters equal to:~~

28 ~~(A) At least seventy five percent (75%) of the number of~~
 29 ~~state wide signatures of legal voters required; and~~

30 ~~(B) At least seventy five percent (75%) of the required~~
 31 ~~number of signatures of legal voters from each of at least fifteen (15)~~
 32 ~~counties of the state.~~

33 (b) In the event of legal proceedings to prevent giving legal effect
 34 to any petition upon any grounds, the burden of proof shall be upon the
 35 person or persons attacking the validity of the petition.

36

1 SECTION 6. The subsection of Arkansas Constitution, Article 5, § 1,
2 titled "Unwarranted Restrictions Prohibited", is amended to read as follows:

3 Unwarranted Restrictions Prohibited. No law shall be passed to
4 prohibit any person or persons from giving or receiving compensation for
5 circulating petitions, nor to prohibit the circulation of petitions, nor in
6 any manner interfering with the freedom of the people in procuring petitions;
7 but laws shall be enacted prohibiting and penalizing perjury, forgery, and
8 all other felonies or other fraudulent practices, in the securing of
9 signatures or filing of petitions. Laws may be enacted as the General
10 Assembly deems necessary to maintain public order, protect public safety,
11 protect private property, or maintain the integrity of the democratic
12 process.

13
14 SECTION 7. Arkansas Code, Article 19, § 22, is amended to read as
15 follows:

16 § 22. Constitutional amendments.

17 Either branch of the General Assembly, at a regular session thereof,
18 may propose amendments to this Constitution; and if the same be agreed to by
19 a majority of all members elected to each house, such proposed amendments
20 shall be entered on the journals with the yeas and nays, and published in at
21 least one (1) newspaper in each county, where a newspaper is published, for
22 six (6) months immediately preceding the next general election for Senators
23 and Representatives, at which time the same shall be submitted to the
24 electors of the State, for approval or rejection~~†. and if a majority of the~~
25 ~~electors voting at such election adopt such amendments, the same shall become~~
26 ~~a part of this Constitution~~ An amendment submitted under this section shall
27 become a part of this Constitution if a majority of the electors voting at
28 the next general election for Senators and Representatives approve the
29 amendment and the amendment is also approved by a majority of votes cast upon
30 the amendment in a majority of the counties of the state. But no more than
31 three (3) amendments shall be proposed or submitted at the same time. They
32 shall be so submitted as to enable the electors to vote on each amendment
33 separately.

34
35 SECTION 8. Arkansas Constitution, Amendment 70, § 2, is amended to
36 read as follows:

