

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

1 State of Arkansas *As Engrossed: H2/21/17*

2 91st General Assembly

3 Regular Session, 2017

HJR 1003

4

5 By: Representatives Gillam, Ballinger, Leding, A. Mayberry

6

7

HOUSE JOINT RESOLUTION

8

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING

9

PROPOSED MEASURES AND CONSTITUTIONAL AMENDMENTS

10

CONSIDERED BY VOTERS AT AN ELECTION; PROVIDING THAT

11

INITIATIVE PETITIONS FOR STATE-WIDE MEASURES SHALL BE

12

FILED WITH THE SECRETARY OF STATE NOT LESS THAN ONE

13

HUNDRED EIGHTY (180) DAYS BEFORE THE ELECTION AT

14

WHICH THEY ARE TO BE VOTED UPON; PROVIDING THAT A

15

PETITION CONCERNING A PROPOSED AMENDMENT TO THE

16

ARKANSAS CONSTITUTION SHALL BEAR THE SIGNATURES OF

17

NOT LESS THAN ONE-HALF (1/2) OF THE DESIGNATED

18

PERCENTAGE OF THE ELECTORS FROM AT LEAST TWENTY-FIVE

19

(25) OF THE COUNTIES OF THE STATE; PROVIDING THAT

20

GENERAL LAWS SHALL BE ENACTED PROVIDING FOR THE

21

EXERCISE OF THE INITIATIVE AND REFERENDUM AS TO

22

MUNICIPALITIES; PROVIDING THAT THE GENERAL ASSEMBLY

23

SHALL NOT FIX THE TIME FOR FILING AN INITIATIVE

24

PETITION IN MUNICIPALITIES AND COUNTIES AT LESS THAN

25

SIXTY (60) DAYS NOR MORE THAN NINETY (90) DAYS BEFORE

26

THE ELECTION AT WHICH THE INITIATIVE IS TO BE VOTED

27

UPON; PROVIDING THAT THE GENERAL ASSEMBLY MAY FIX THE

28

TIME FOR FILING A REFERENDUM PETITION AT NOT LESS

29

THAN THIRTY (30) DAYS NOR MORE THAN NINETY (90) DAYS

30

AFTER THE PASSAGE OF THE MEASURE AT ISSUE BY A QUORUM

31

COURT OR MUNICIPAL COUNCIL; PROVIDING THAT THE

32

GENERAL ASSEMBLY SHALL NOT FIX THE TIME FOR FILING A

33

REFERENDUM PETITION AT LESS THAN NINETY (90) DAYS

34

WHEN FILED AGAINST A LOCAL OR SPECIAL MEASURE PASSED

35

BY THE GENERAL ASSEMBLY; PROVIDING THAT A CHALLENGE

36

TO THE SUFFICIENCY OF THE TITLE SUBMITTED WITH A



1 *PETITION TO BE USED ON THE BALLOT SHALL BE MADE NOT*
2 *LATER THAN SIXTY (60) DAYS AFTER THE FILING OF THE*
3 *PETITION; PROVIDING THAT A CHALLENGE TO THE*
4 *SUFFICIENCY OF THE SIGNATURES SUBMITTED IN SUPPORT OF*
5 *A PETITION SHALL BE MADE NOT LATER THAN SIXTY (60)*
6 *DAYS AFTER THE FILING OF THE PETITION; PROVIDING THAT*
7 *AN AMENDMENT TO THE ARKANSAS CONSTITUTION SUBMITTED*
8 *TO THE PEOPLE THROUGH THE INITIATIVE PROCESS SHALL*
9 *TAKE EFFECT AND BECOME PART OF THE ARKANSAS*
10 *CONSTITUTION WHEN APPROVED BY THREE-FIFTHS (3/5) OF*
11 *THE VOTES CAST UPON THE AMENDMENT AND SHALL NOT BE*
12 *REQUIRED TO RECEIVE A MAJORITY OF THE ELECTORS VOTING*
13 *AT SUCH ELECTION; PROVIDING THAT, BY A MAJORITY VOTE*
14 *AT A REGULAR SESSION, THE GENERAL ASSEMBLY MAY SUBMIT*
15 *A LAW OTHER THAN A PROPOSED CONSTITUTIONAL AMENDMENT*
16 *TO THE PEOPLE FOR APPROVAL OR REJECTION BY A MAJORITY*
17 *VOTE AT AN ELECTION; PROVIDING THAT THE GENERAL*
18 *ASSEMBLY SHALL NOT SUBMIT MORE THAN THREE (3) LAWS TO*
19 *THE PEOPLE FOR APPROVAL OR REJECTION AT A REGULAR*
20 *SESSION AND SHALL NOT SUBMIT AN APPROPRIATION BILL TO*
21 *THE PEOPLE FOR APPROVAL OR REJECTION AT AN ELECTION;*
22 *PROVIDING THAT THE PROVISIONS CONCERNING THE*
23 *SUBMISSION OF LAWS TO THE PEOPLE BY THE GENERAL*
24 *ASSEMBLY ARE INAPPLICABLE TO THE SUBMISSION OF A*
25 *QUESTION CONCERNING THE ISSUANCE OF BONDS TO THE*
26 *ELECTORS THAT IS OTHERWISE AUTHORIZED BY THE ARKANSAS*
27 *CONSTITUTION OR BY LAW; PROVIDING THAT THE GENERAL*
28 *ASSEMBLY MAY ENACT LAWS CONCERNING THE PROCESS FOR*
29 *SUBMITTING A LAW TO THE PEOPLE FOR APPROVAL OR*
30 *REJECTION AT AN ELECTION; PROVIDING THAT IF*
31 *CONFLICTING MEASURES INITIATED OR REFERRED TO THE*
32 *PEOPLE ARE APPROVED BY THE NECESSARY NUMBER OF VOTES,*
33 *THE ONE RECEIVING THE HIGHEST NUMBER OF AFFIRMATIVE*
34 *VOTES SHALL BECOME LAW; PROVIDING THAT CORRECTION OR*
35 *AMENDMENT OF AN INSUFFICIENT STATE-WIDE PETITION*
36 *CONCERNING A PROPOSED CONSTITUTIONAL AMENDMENT SHALL*

1 *BE PERMITTED ONLY IF THE PETITION CONTAINS VALID*
2 *SIGNATURES OF LEGAL VOTERS EQUAL TO AT LEAST SEVENTY-*
3 *FIVE PERCENT (75%) OF THE REQUIRED NUMBER OF*
4 *SIGNATURES OF LEGAL VOTERS FROM EACH OF AT LEAST*
5 *TWENTY-FIVE (25) COUNTIES OF THE STATE; REVISING THE*
6 *PROCESS FOR THE GENERAL ASSEMBLY TO PROPOSE*
7 *AMENDMENTS TO THE ARKANSAS CONSTITUTION AT A REGULAR*
8 *SESSION OF THE GENERAL ASSEMBLY; PROVIDING THAT A*
9 *PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION SHALL*
10 *NOT BE SUBMITTED TO THE ELECTORS OF THE STATE FOR*
11 *APPROVAL OR REJECTION UNLESS IT RECEIVES A TWO-THIRDS*
12 *VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY; PROVIDING*
13 *THAT THE GENERAL ASSEMBLY SHALL DESIGNATE IN THE*
14 *JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE*
15 *ARKANSAS CONSTITUTION THE BALLOT TITLE AND POPULAR*
16 *NAME THAT SHALL APPEAR ON THE GENERAL ELECTION*
17 *BALLOT; PROVIDING THAT THE BALLOT TITLE FOR AN*
18 *AMENDMENT TO THE ARKANSAS CONSTITUTION PROPOSED BY*
19 *THE GENERAL ASSEMBLY SHALL BE INTELLIGIBLE, HONEST,*
20 *AND IMPARTIAL; PROVIDING THAT THE POPULAR NAME FOR AN*
21 *AMENDMENT TO THE ARKANSAS CONSTITUTION PROPOSED BY*
22 *THE GENERAL ASSEMBLY SHALL IDENTIFY THE PROPOSED*
23 *AMENDMENT IN A MANNER THAT ENABLES THE ELECTORS TO*
24 *VOTE ON EACH AMENDMENT SEPARATELY; PROVIDING THAT*
25 *WITHIN THIRTY (30) DAYS OF THE ADOPTION BY THE*
26 *GENERAL ASSEMBLY OF A JOINT RESOLUTION PROPOSING AN*
27 *AMENDMENT TO THE ARKANSAS CONSTITUTION, THE ATTORNEY*
28 *GENERAL SHALL REVIEW THE BALLOT TITLE AND POPULAR*
29 *NAME AND CERTIFY THE BALLOT TITLE AND POPULAR NAME*
30 *FOR INCLUSION ON THE BALLOT IF HE OR SHE DETERMINES*
31 *THE BALLOT TITLE AND POPULAR NAME SATISFY THE*
32 *REQUIRED STANDARDS; PROVIDING THAT THE ATTORNEY*
33 *GENERAL SHALL SUBSTITUTE AND CERTIFY A BALLOT TITLE*
34 *OR POPULAR NAME, OR BOTH, FOR AN AMENDMENT TO THE*
35 *ARKANSAS CONSTITUTION PROPOSED BY THE GENERAL*
36 *ASSEMBLY THAT SATISFIES THE REQUIRED STANDARDS IF HE*

1 OR SHE DETERMINES AFTER REVIEW THAT THE BALLOT TITLE
2 OR POPULAR NAME, OR BOTH, DO NOT SATISFY THE REQUIRED
3 STANDARDS; PROVIDING THAT AN AMENDMENT TO THE
4 ARKANSAS CONSTITUTION PROPOSED BY THE GENERAL
5 ASSEMBLY AND ITS BALLOT TITLE AND POPULAR NAME SHALL
6 BE PUBLISHED AS PROVIDED BY LAW; PROVIDING THAT AN
7 AMENDMENT TO THE ARKANSAS CONSTITUTION PROPOSED BY
8 THE GENERAL ASSEMBLY SHALL BECOME PART OF THE
9 ARKANSAS CONSTITUTION WHEN APPROVED BY THREE-FIFTHS
10 (3/5) OF THE ELECTORS VOTING ON THE AMENDMENT; AND
11 PROVIDING THAT AN AMENDMENT TO THE ARKANSAS
12 CONSTITUTION SHALL NOT SPECIFICALLY BESTOW POWERS,
13 PRIVILEGES, OR AUTHORITY TO A SPECIFIC INDIVIDUAL
14 IDENTIFIED BY NAME OR A PRIVATE BUSINESS ENTITY
15 IDENTIFIED BY NAME.

Subtitle

16
17
18
19 AN AMENDMENT TO THE ARKANSAS CONSTITUTION
20 CONCERNING PROPOSED MEASURES AND
21 CONSTITUTIONAL AMENDMENTS CONSIDERED BY
22 VOTERS AT AN ELECTION.

23
24
25 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL
26 ASSEMBLY OF THE STATE OF ARKANSAS AND BY SENATE, A MAJORITY OF ALL MEMBERS
27 ELECTED TO EACH HOUSE AGREEING THERETO:

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

35
36 SECTION 1. *The subdivision of Arkansas Constitution, Article 5, § 1,*

1 titled "Initiative" is amended to read as follows:

2 Initiative. The first power reserved by the people is the initiative.
3 Eight ~~per cent~~ percent (8%) of the legal voters may propose any law and ten
4 ~~per cent~~ percent (10%) may propose a constitutional amendment by initiative
5 petition and every such petition shall include the full text of the measure
6 so proposed. Initiative petitions for state-wide measures shall be filed
7 with the Secretary of State not less than ~~four months~~ one hundred eighty
8 (180) days before the election at which they are to be voted upon; provided,
9 that at least thirty (30) days before the aforementioned filing, the proposed
10 measure shall have been published once, at the expense of the petitioners, in
11 some paper of general circulation.

12
13 SECTION 2. The subdivision of Arkansas Constitution, Article 5, § 1,
14 titled "Referendum" is amended to read as follows:

15 Referendum. (a) The second power reserved by the people is the
16 referendum, and any number not less than six ~~per cent~~ percent (6%) of the
17 legal voters may, by petition, order the referendum against any general Act,
18 or any item of an appropriation bill, or measure passed by the General
19 Assembly, but the filing of a referendum petition against one or more items,
20 sections or parts of any such act or measure shall not delay the remainder
21 from becoming operative. Such petition shall be filed with the Secretary of
22 State not later than ninety (90) days after the final adjournment of the
23 session at which such Act was passed, except when a recess or adjournment
24 shall be taken temporarily for a longer period than ninety (90) days, in
25 which case such petition shall be filed not later than ninety (90) days after
26 such recess or temporary adjournment. Any measure referred to the people by
27 referendum petition shall remain in abeyance until such vote is taken. The
28 total number of votes cast for the office of Governor in the last preceding
29 general election shall be the basis upon which the number of signatures of
30 legal voters upon state-wide initiative and referendum petitions shall be
31 computed.

32 (b)(1) ~~Upon~~ Except as provided in subdivision (b)(2) of this section,
33 upon all initiative or referendum petitions provided for in any of the
34 sections of this article, it shall be necessary to file from at least fifteen
35 (15) of the counties of the State, petitions bearing the signature of not
36 less than one-half (1/2) of the designated percentage of the electors of such

1 county.

2 (2) For a petition concerning a proposed amendment to the
 3 Arkansas Constitution, it shall be necessary to file from at least twenty-
 4 five (25) of the counties of the State, petitions bearing the signature of
 5 not less than one-half (1/2) of the designated percentage of the electors of
 6 such county.

7
 8 SECTION 3. The subdivision of Arkansas Constitution, Article 5, § 1,
 9 titled "Local for Municipalities and Counties" is amended to read as follows:

10 Local for Municipalities and Counties. The initiative and referendum
 11 powers of the people are hereby further reserved to the legal voters of each
 12 municipality and county as to all local, special and municipal legislation of
 13 every character in and for their respective municipalities and counties, but
 14 no local legislation shall be enacted contrary to the Constitution or any
 15 general law of the State, and any general law shall have the effect of
 16 repealing any local legislation which is in conflict therewith.

17 Municipalities may provide for the exercise of the initiative and
 18 referendum as to their local legislation. General laws shall be enacted
 19 providing for the exercise of the initiative and referendum as to counties
 20 and municipalities. Fifteen ~~per cent~~ percent (15%) of the legal voters of
 21 any municipality or county may order the referendum, or invoke the initiative
 22 upon any local measure. In municipalities the number of signatures required
 23 upon any petition shall be computed upon the total vote cast for the office
 24 of mayor at the last preceding general election; in counties upon the office
 25 of circuit clerk. In municipalities and counties the time for filing an
 26 initiative petition shall not be fixed by the General Assembly at less than
 27 sixty (60) days nor more than ninety (90) days before the election at which
 28 it is to be voted upon; ~~for the time for filing~~ a referendum petition shall
 29 not be fixed by the General Assembly at ~~not~~ less than thirty (30) days nor
 30 more than ninety (90) days after the passage of such measure by a quorum
 31 court or municipal council; ~~nor, or~~ less than ninety (90) days when filed
 32 against a local or special measure passed by the General Assembly.

33 Every extension, enlargement, grant, or conveyance of a franchise or
 34 any rights, property, easement, lease, or occupation of or in any road,
 35 street, alley or any part thereof in real property or interest in real
 36 property owned by municipalities, exceeding in value three hundred dollars

1 (\$300), whether the same be by statute, ordinance, resolution, or otherwise,
2 shall be subject to referendum and shall not be subject to emergency
3 legislation.

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

7 Title. At the time of filing petitions the exact title to be used on
8 the ballot shall by the petitioners be submitted with the petition, and on
9 state-wide measures, shall be submitted to the State Board of Election
10 Commissioners, who shall certify such title to the Secretary of State, to be
11 placed upon the ballot; on county and municipal measures such title shall be
12 submitted to the county election board and shall by said board be placed upon
13 the ballot in such county or municipal election. A challenge to the
14 sufficiency of the title to be used on the ballot shall be made not later
15 than sixty (60) days after the filing of the petition under this section.
16

17 SECTION 5. The subdivision of Arkansas Constitution, Article 5, § 1,
18 titled "Majority", is amended to read as follows:

19 Majority. (a)(1)(A) Any Except as provided in subdivision (a)(1)(B)
20 of this section, any measure submitted to the people as herein provided shall
21 take effect and become a law when approved by a majority of the votes cast
22 upon such measure, and not otherwise, and shall not be required to receive a
23 majority of the electors voting at such election.

24 (B) An amendment to the Arkansas Constitution submitted to
25 the people as herein provided shall take effect and become part of the
26 Arkansas Constitution when approved by three-fifths (3/5) of the votes cast
27 upon the amendment, and not otherwise, and shall not be required to receive a
28 majority of the electors voting at such election.

29 (2) Such measures shall be operative on and after the thirtieth
30 day after the election at which it is approved, unless otherwise specified in
31 the Act.

32 (b)(1) This section shall not be construed to deprive any member of
33 the General Assembly of the right to introduce any measure, but no measure
34 shall be submitted to the people by the General Assembly, except a proposed
35 constitutional amendment or amendments as provided for in this Constitution.

36 (2) At a regular session, the General Assembly may:

1 (A) Submit a proposed constitutional amendment to the
2 people for approval or rejection as provided for in this Constitution; and

3 (B)(i) Except as otherwise provided by this Constitution,
4 submit a law other than a proposed constitutional amendment to the people for
5 approval or rejection at an election as provided by law.

6 (ii) A law shall not be submitted to the people for
7 approval or rejection at an election under subdivision (b)(2)(B)(i) of this
8 section unless it receives a majority vote of each house of the General
9 Assembly.

10 (iii) A law submitted to the people under
11 subdivision (b)(2)(B)(i) of this section or other provisions of this
12 Constitution, including without limitation Article 5, § 38, of this
13 Constitution, shall:

14 (a) Take effect and become a law when approved
15 by a majority of the votes cast upon the law; and

16 (b) Be operative on and after the thirtieth
17 day after the election at which it is approved, unless otherwise specified in
18 the law.

19 (iv) The General Assembly shall not submit more than
20 three (3) laws to the people for approval or rejection at a regular session.

21 (v) The General Assembly shall not submit an
22 appropriation bill to the people for approval or rejection at an election
23 under this subdivision (b)(2)(B).

24 (vi) This subdivision (b)(2)(B) does not apply to
25 the submission of a question concerning the issuance of bonds to the electors
26 that is otherwise authorized by this Constitution or by law.

27 (vii) The General Assembly may enact laws concerning
28 the process for submitting a law to the people for approval or rejection at
29 an election under this subdivision (b)(2)(B).

30
31 SECTION 6. The subdivision of Arkansas Constitution, Article 5, § 1,
32 titled "Conflicting Measures" is amended to read as follows:

33 Conflicting Measures. If conflicting measures initiated or referred to
34 the people shall be approved by ~~a majority of~~ the required number of the
35 votes severally cast for and against the same at the same election, the one
36 (1) receiving the highest number of affirmative votes shall become law.

1
2 SECTION 7. The subdivision of Arkansas Constitution, Article 5, § 1,
3 titled "Verification" is amended to read as follows:

4 Verification. Only legal votes shall be counted upon petitions.
5 Petitions may be circulated and presented in parts, but each part of any
6 petition shall have attached thereto the affidavit of the person circulating
7 the same, that all signatures thereon were made in the presence of the
8 affiant, and that to the best of the affiant's knowledge and belief each
9 signature is genuine, and that the person signing is a legal voter and no
10 other affidavit or verification shall be required to establish the
11 genuineness of such signatures. A challenge to the sufficiency of the
12 signatures submitted in support of a petition shall be made not later than
13 sixty (60) days after the filing of the petition under this section.
14

15 SECTION 8. The section of Arkansas Constitution, Article 5, § 1,
16 titled "Amendment of Petition" is amended to read as follows:

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

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

26 (A) At least seventy-five percent (75%) of the number of
27 state-wide signatures of legal voters required; and

28 (B)(i) Except as provided in subdivision (a)(2)(B)(ii)
29 of this section, at least seventy-five percent (75%) of the required number
30 of signatures of legal voters from each of at least fifteen (15) counties of
31 the state.

32 (ii) For a state-wide petition concerning a proposed
33 constitutional amendment, at least seventy-five percent (75%) of the required
34 number of signatures of legal voters from each of at least twenty-five (25)
35 counties of the state.

36 (b) In the event of legal proceedings to prevent giving legal effect

1 to any petition upon any grounds, the burden of proof shall be upon the
2 person or persons attacking the validity of the petition.

3
4 SECTION 9. Arkansas Constitution, Article 19, § 22, is amended to read
5 as follows:

6 § 22. Constitutional amendments.

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

19 (a)(1) Either house of the General Assembly may propose amendments to
20 this Constitution at a regular session in the form of a joint resolution.

21 (2) A joint resolution proposing an amendment to this
22 Constitution shall be read in full on three (3) days in each house of the
23 General Assembly unless the rules are suspended by a two-thirds vote of each
24 house, in which case the joint resolution may be read a second or third time
25 on the same day.

26 (3) On the final passage of the proposed amendment through each
27 house, the vote shall be taken by yeas and nays and the names of the persons
28 voting for and against the joint resolution shall be entered on the journal.

29 (4) A proposed amendment shall not be submitted to the electors
30 of the state for approval or rejection unless it receives a two-thirds vote
31 of each house of the General Assembly.

32 (5)(A) Except as provided in Amendment 70, § 2, of this
33 Constitution, the General Assembly shall not submit more than three (3)
34 proposed amendments at a general election.

35 (B) Proposed amendments under this section shall be
36 submitted as to enable the electors to vote on each amendment separately.

1 (b) A joint resolution proposing an amendment to this Constitution
2 that receives an affirmative vote of each house of the General Assembly shall
3 be submitted to the electors of the state for approval or rejection at the
4 next general election.

5 (c)(1) The General Assembly shall designate in the joint resolution
6 proposing an amendment to this Constitution the ballot title and popular name
7 that shall appear on the general election ballot.

8 (2)(A) The ballot title designated in the joint resolution shall
9 be a summary of the proposed amendment that is:

10 (i) Intelligible;

11 (ii) Honest; and

12 (iii) Impartial.

13 (B) The popular name designated in the joint resolution
14 shall identify the proposed amendment in a manner that enables the electors
15 to vote on each amendment separately.

16 (3)(A) Within thirty (30) days of the adoption of a joint
17 resolution proposing an amendment to this Constitution by the General
18 Assembly, the Attorney General shall:

19 (i) Review the ballot title and popular name
20 designated in the joint resolution; and

21 (ii) Certify the ballot title and popular name for
22 inclusion on the ballot at the next general election if the Attorney General
23 determines that the ballot title and popular name satisfy subdivision (c)(2)
24 of this section.

25 (B) If the Attorney General believes after his or her
26 review that the ballot title or popular name, or both, do not satisfy
27 subdivision (c)(2) of this section, the Attorney General shall substitute and
28 certify a ballot title or popular name, or both, that satisfy subdivision
29 (c)(2) of this section.

30 (d) If an amendment to this Constitution proposed by the General
31 Assembly meets the requirements of this section, the proposed amendment and
32 its ballot title and popular name shall be published as provided by law.

33 (e) If three-fifths (3/5) of the electors voting on the amendment at
34 the general election approve the amendment, the amendment shall become part
35 of this Constitution.

36

1 SECTION 10. Arkansas Constitution, Amendment 70, § 2, is amended to
2 read as follows:

3 § 2. Additional Constitutional amendments authorized.

4 (a) In addition to the three (3) amendments to ~~the~~ this Constitution
5 allowed pursuant to Article 19, § 22, either branch of the General Assembly
6 at a regular session thereof may propose an amendment to ~~the~~ this
7 Constitution to change the salaries for the offices of Governor, Lieutenant
8 Governor, Attorney General, Secretary of State, Treasurer of State,
9 Commissioner of State Lands, and Auditor of State and for members of the
10 General Assembly. ~~If the same be agreed to by a majority of all members~~
11 ~~elected to each house, such proposed amendment shall be entered on the~~
12 ~~journals with the yeas and nays, and published in at least one newspaper in~~
13 ~~each county, where a newspaper is published, for six months immediately~~
14 ~~preceding the next general election for Senators and Representatives, at~~
15 ~~which time the same shall be submitted to the electors of the State for~~
16 ~~approval or rejection. If a majority of the electors voting at such election~~
17 ~~adopt the amendment the same shall become a part of this Constitution.~~

18 (b) Only one (1) amendment to ~~the~~ this Constitution may be referred
19 pursuant to this section.

20 (c) An amendment proposed under the authority of this section shall
21 comply with the requirements of Article 19, § 22, of this Constitution.

22
23 SECTION 11. The Arkansas Constitution is amended to add a new
24 amendment to read as follows:

25 (a) An amendment to this Constitution shall not specifically bestow
26 powers, privileges, or authority to:

27 (1) A specific individual identified by his or her name; or

28 (2) A private business entity identified by name, including
29 without limitation a private corporation identified by name.

30 (b) Subsection (a) of this amendment shall supersede a subsequent
31 amendment to this Constitution that specifically bestows powers, privileges,
32 or authority to:

33 (1) A specific individual identified by his or her name; or

34 (2) A private business entity identified by name, including
35 without limitation a private corporation identified by name.

36

