

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

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021

HJR 1008

4  
5 By: Representative Vaught

**HOUSE JOINT RESOLUTION**

8 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO BE KNOWN  
9 AS THE "BALLOT INITIATIVE REFORM AMENDMENT"; AND  
10 AMENDING THE NUMBER OF VOTES REQUIRED FOR THE PASSAGE  
11 OF AN INITIATED PROPOSAL OR REFERENDUM UNDER ARKANSAS  
12 CONSTITUTION, ARTICLE 5, § 1.

**Subtitle**

16 AN AMENDMENT TO THE ARKANSAS CONSTITUTION  
17 TO BE KNOWN AS THE "BALLOT INITIATIVE  
18 REFORM AMENDMENT".

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

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:

32 SECTION 1. The subsection of Arkansas Constitution, Article 5, § 1,  
33 titled "Emergency", is amended to read as follows:

34 Emergency. If it shall be necessary for the preservation of the public  
35 peace, health and safety that a measure shall become effective without delay,  
36 such necessity shall be stated in one section, and if upon a yea and nay vote



1 two-thirds of all the members elected to each house, or two-thirds of all the  
2 members elected to city or town councils, shall vote upon separate roll call  
3 in favor of the measure going into immediate operation, such emergency  
4 measure shall become effective without delay. It shall be necessary,  
5 however, to state the fact which constitutes such emergency. Provided,  
6 however, that an emergency shall not be declared on any franchise or special  
7 privilege or act creating any vested right or interest or alienating any  
8 property of the State. If a referendum is filed against any emergency  
9 measure such measure shall be a law until it is voted upon by the people, and  
10 if it is then rejected by ~~a majority~~ at least sixty percent (60%) of the  
11 electors voting thereon, it shall be thereby repealed. The provision of this  
12 sub-section shall apply to city or town councils.

13

14 SECTION 2. The subsection of Arkansas Constitution, Article 5, § 1,  
15 titled "Majority", is amended to read as follows:

16 Majority Approval of measures submitted to the people. Any measure  
17 submitted to the people as herein provided shall take effect and become a law  
18 when approved by ~~a majority~~ at least sixty percent (60%) of the votes cast  
19 upon such measure, ~~and not otherwise, and shall not be required to receive a~~  
20 ~~majority of the electors voting at such election.~~ Such measures shall be  
21 operative on and after the thirtieth day after the election at which it is  
22 approved, unless otherwise specified in the Act.

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

27

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

30 Conflicting Measures. If conflicting measures initiated or referred to  
31 the people shall be approved by ~~a majority~~ at least sixty percent (60%) of  
32 the votes severally cast for and against the same at the same election, the  
33 one receiving the highest number of affirmative votes shall become law.

34

35 SECTION 4. EFFECTIVE DATE. This amendment shall be effective on and  
36 after January 1, 2023.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

SECTION 5. 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 to Reform Ballot Initiatives and Referendums, to be Known as the "Ballot Initiative Reform Amendment".