

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Senator B. Sample

As Engrossed: S3/20/13

SJR 16

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7 **SENATE JOINT RESOLUTION**

8 PROPOSING AN AMENDMENT TO ARTICLE 5, SECTION 1, OF
9 THE ARKANSAS CONSTITUTION CONCERNING INITIATIVE AND
10 *REFERENDUM; AND PROVIDING CERTAIN REQUIREMENTS FOR*
11 *THE CORRECTION OR AMENDMENT OF INSUFFICIENT STATE-*
12 *WIDE PETITIONS.*

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15 **Subtitle**

16 PROPOSING AN AMENDMENT TO ARTICLE 5,
17 SECTION 1, OF THE ARKANSAS CONSTITUTION
18 CONCERNING INITIATIVE AND REFERENDUM.

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

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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:

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32 *SECTION 1. The subsection of Article 5, Section 1, of the Arkansas*
33 *Constitution titled "Amendment of Petition" is amended to read as follows:*

34 *Amendment of Petition. (a)(1) If the Secretary of State, county*
35 *clerk or city clerk, as the case may be, shall decide any petition to be*
36 *insufficient, he or she shall without delay notify the ~~sponsors~~ sponsors of*



1 such petition, and permit at least thirty (30) days from the date of such
2 notification, in the instance of a state-wide petition, or ten (10) days in
3 the instance of a municipal or county petition, for correction or amendment.

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

7 (A) At least ninety percent (90%) of the number of state-
8 wide signatures of legal voters required; and

9 (B) At least ninety percent (90%) of the required number
10 of signatures of legal voters from each of at least fifteen (15) counties of
11 the state.

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

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16 /s/B. Sample
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