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**ARKANSAS
PUBLIC POLICY PANEL**

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A GUIDE TO

2021 ARKANSAS CONSTITUTIONAL AMENDMENTS



2021 | MARCH



ABOUT US

Founded in 1963, the Panel was formed by mothers of school-aged children fighting against segregation. Today, the Panel continues its work in core values of equity, inclusion, and diversity. We organize communities to create infrastructure, set goals, and develop action plans for better schools, safer neighborhoods, accountable government, and more. For 20 years, the Panel has coordinated with the CFC, a multi-issue advocacy coalition of member groups from all over the state who work together on campaigns for progressive state policy.

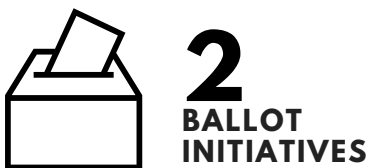
OVERVIEW

In 2021, Arkansas legislators filed 43 proposed amendments addressing a wide variety of issues including partisan elections, procedures to recall a state official, limits to lawsuit damages, renters' rights, and more. The General Assembly is allowed to refer up to three proposed constitutional amendments to voters in the 2022 General Election. What follows is a guide to those 43 proposed amendments, the position of the Citizens First Congress on each bill, and a brief analysis of the bills.

**25 HOUSE
AMENDMENTS**

**18 SENATE
AMENDMENTS**

**43 TOTAL
AMENDMENTS**



FAST FACTS ABOUT
**CONSTITUTIONAL
AMENDMENTS**



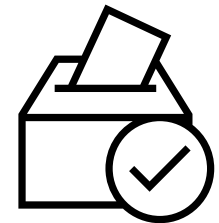
THE GENERAL ASSEMBLY CAN PLACE UP TO THREE CONSTITUTIONAL AMENDMENTS ON THE BALLOT.

PROPOSED AMENDMENTS ARE FILED AS EITHER HOUSE JOINT RESOLUTIONS (HJR) OR SENATE JOINT RESOLUTIONS (SJR).



BILLS ARE REFERRED TO THEIR RESPECTIVE HOUSE AND SENATE STATE AGENCIES COMMITTEES.

AMENDMENTS APPROVED BY A MAJORITY OF THE GENERAL ASSEMBLY WILL APPEAR ON THE NOVEMBER 2022 GENERAL ELECTION BALLOT.



AMENDMENTS DO NOT REQUIRE THE GOVERNOR'S SIGNATURE.

* **Shell Resolution:** These are proposed resolutions that only have a title and no detailed text. It is possible that text can be amended into them after the deadline to submit a resolution (which was February 10th). We monitor these in case they are amended to add something of substance.

TORT REFORM

Four amendments. *Tort Reform* refers to actions that reduce claims paid in lawsuits or rights to file suit. Liability limits such as the proposed ones here can limit the rights of people to access the courts to address wrongs, and it can make it harder to use the courts as a tool to hold corporations accountable and get them to correct bad practices. In the case of these proposed amendments, the restrictions appear to be limited to worker claims against employers. The General Assembly sets the upper limits for these actions rather than a court or the Worker's Compensation Commission encroaching on judicial and executive branch responsibilities.

HJR1014 (SJR8)

TITLE

A Constitutional Amendment Permitting Limits On Awards Of Punitive And Noneconomic Damages.

SPONSORS

Johnson, L.; Irvin, M.; Dotson, J.; Barker, s.; Beaty, H.; Beck, R.; Bentley, M.; Brooks, K.; Cavanaugh, F.; Cloud, J.; Coleman, B.; Deffenbaugh, G.; Eubanks, J.; Evans, B.; Gonzales, J.; Hawks, S.; Hollowell, S.; Lynch, R.; McCollum, A.; McGrew, R.; Payton, J.; Pilkington, A.; Ray, D.; Rye, J.; Speaks, N.; Underwood, K.; Ballinger, B.; Beckham, C.; Bledsoe, C.; Davis, B.; Dismang, J.; Eads, L.; English, J.; Flippo, S.; Garner, T.; Gilmore, B.; Hester, B.; Hill, R.; Johnson, B.; Wallace, D.

CFC POSITION

Oppose

ANALYSIS

The amendment moves the General Assembly into the role of setting limits on Workmen's Compensation damages maximum amounts. It protects employers at the expense of workers or their families. Compensation for other injuries or loss of life in other courts outside of Workmen's Compensation claims is not impacted.

IMPACT

While COVID-19 claims are not mentioned, they are likely the impetus for this proposal at this time. This measure appears to be constructed in a way that would limit business losses from COVID-19 related claims additionally allowing limits for other worker claims as well.

HJR1020

TITLE

An Amendment To The Arkansas Constitution Concerning Fines And Restrictions Related To Frivolous Lawsuits.

SPONSORS

Miller, J.

CFC POSITION

N/A

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

HJR1025

TITLE

An Amendment To The Arkansas Constitution Concerning Fines And Restrictions Related To Frivolous Lawsuits.

SPONSORS

Gazaway, J.

CFC POSITION

Oppose

ANALYSIS

The amendment gives the General Assembly the right to set limits on compensation to be paid by employers. It states that the sanctity of life is paramount to everything else except for employees. It requires a three/fourths vote to change this section at a later time if the amendment passes. Other civil rights to damages are not limited.

IMPACT

While COVID-19 claims are not mentioned, they are likely the impetus for this proposal at this time. This appears to limit claims against employers for COVID-19 deaths or serious illnesses as well as in other situations.

SJR8 (HJR1014)

TITLE

A Constitutional Amendment Permitting Limits On Awards Of Punitive And Noneconomic Damages.

SPONSORS

Irvin, M.; Johnson, L.; Dotson, J.; Barker, s.; Beaty, H.; Beck, R.; Bentley, M.; Brooks, K.; Cavanaugh, F.; Cloud, J.; Coleman, B.; Deffenbaugh, G.; Eubanks, J.; Evans, B.; Gonzales, J.; Hawks, S.; Hollowell, S.; Lynch, R.; McCollum, A.; McGrew, R.; Payton, J.; Pilkington, A.; Ray, D.; Rye, J.; Speaks, N.; Underwood, K.; Ballinger, B.; Beckham, C.; Bledsoe, C.; Davis, B.; Dismang, J.; Eads, L.; English, J.; Flippo, S.; Garner, T.; Gilmore, B.; Hester, B.; Hill, R.; Johnson, B.; Wallace, D.

CFC POSITION

Oppose

ANALYSIS

The amendment to the Workmen’s Compensation Law gives the General Assembly the right to set limits on compensation to be paid by employers and to prescribe who might receive that lessened compensation.

TAXES

Two amendments.

HJR1002

TITLE

An Amendment To The Arkansas Constitution Providing When An Annual Ad Valorem Tax For The Maintenance And Operation Of Schools And The Retirement Of Indebtedness Shall Be Considered At The Annual School Election.

SPONSORS

Tollett, D.

CFC POSITION

Support

ANALYSIS

The amendment would remove the proposed rate of tax levy for a millage from the ballot for an annual school election when the proposed rate is the same as the previous year and the new rate is set as the amount of the old rate automatically. This supports schools by eliminating the need to gain repeated approval of an existing millage.

HJR1004

TITLE

An Amendment To The Arkansas Constitution Concerning The Taxation Of Personal Property And Real Property In The State Of Arkansas.

SPONSORS

Meeks, S.

CFC POSITION

Oppose

ANALYSIS

This amendment would eliminate personal property taxes by 2047 (26 years from now) but not real property taxes. Property tax is the primary source of state funding for schools. No replacement for personal property tax funding is proposed. The burden to replace that revenue would fall to the state. Section 4 does allow for personal property taxes for libraries but does not assume both personal and real property will be taxed at equal rates.

POWER OF THE LEGISLATURE

Fourteen total amendments.

Four amendments re: Increased legislative power over Executive Branch to call or force extraordinary (special) sessions. Likely to increase odds of legislative overreach and dramatically increase costs.

HJR1001 (SJR10)

TITLE

An Amendment To The Arkansas Constitution Authorizing The General Assembly To Convene Itself In Extraordinary Session.

SPONSORS

Cavanaugh, F.; Davis, B.; Vaught, D.; Gray, M.; Lundstrum, R.; Payton, J.; Smith, B.; Rye, J.; Bentley, M.; Brown, K.; Furman, T.; Underwood, K.; Lowery, M.; Wooten, J.; Beaty, H.; Gonzales, J.; Berry, M.; Dotson, J.; McCollum, A.; Gazaway, J.; Bryant, J.; Evans, B.; Richmond, M.; Cooper, C.; Garner, T.; Hill, R.

CFC POSITION

Oppose

ANALYSIS

The amendment allows the legislature to convene itself based on a decision by the leader of the House and Senate. Members then would be able to decide on the length of the session.

IMPACT

The costs of a special session impact the state budget and reduce funds available for other public needs. This is likely in response to members' wish to meet during the COVID-19 emergency.

SJR2

TITLE

A Constitutional Amendment To Allow The General Assembly To Convene In Extraordinarily Session Upon The Request Of A Majority Of The Members Of Each House Of The General Assembly.

SPONSORS

Clark, A.

CFC POSITION

Oppose

ANALYSIS

This amendment allows the legislature to petition the Governor to call an extraordinary session on the request of the majority of both the Senate and House. The Governor is required to heed this petition and call a session. If the Governor has declared a disaster emergency the legislature can stay in session for the duration of the disaster.

IMPACT

This amendment is likely in response to members' frustration at the Governor's COVID-19 actions to protect public health. The Legislature would like the power to overrule the Governor in emergencies.

SJR10 (HJR1001)

TITLE

An Amendment To The Arkansas Constitution Authorizing The General Assembly To Convene Itself In Extraordinary Session.

SPONSORS

B. Davis, T. Garner, Hill; Cavanaugh, Vaught, M. Gray, Lundstrum, Payton, B. Smith, Rye, Bentley, Brown, Furman, Underwood, Lowery, Wooten, Beatty Jr., Gonzales, M. Berry, Dotson, McCollum, Gazaway, Bryant, Evans, Richmond, C. Cooper

CFC POSITION

Oppose

ANALYSIS

This amendment allows the legislature to convene itself by joint proclamation of the Speaker of the House and the President Pro Tempore of the Senate.

IMPACT

Increases power of the legislative branch and would increase the frequency of legislative sessions.

SJR15

TITLE

A Constitutional Amendment Requiring The Governor To Convene An Extraordinary Session Of The General Assembly When An Emergency Declaration Exceeds Thirty (30) Days.

SPONSORS

Clark, A.

CFC POSITION

Oppose

ANALYSIS

This amendment requires the Governor to convene the legislature when a declared emergency lasts longer than 30 days. Gives the General Assembly the right to take administrative actions (terminate) against state agency heads during emergency declarations.

IMPACT

Increases the power of the legislative branch and reduces the power of the executive branch. The proposed power given to the Legislature to fire state agency heads that are appointed by the Governor is an extraordinary expansion of legislative power and dilution of the Governor's.

Four amendments re: Increased power over the Executive and Legislative Branches. Includes Constitutional Officers from the Governor to individual legislators.

HJR1006

TITLE

An Amendment To The Arkansas Constitution To Create A Procedure For The Recall Of A State Constitutional Officer, A Member Of The General Assembly, Or An Elected Judicial Officer.

SPONSORS

Cavanaugh, F.

CFC POSITION

n/a

ANALYSIS

The amendment provides a recall mechanism for most state and district elected officials requiring 25 percent of the voters in the most recent election to sign a recall petition. It does not extend to county or local officials. The Secretary of State decides if the notice of intent to recall is sufficient. At that point, the collection of signatures proceeds. If sufficient signatures are collected, a form for the ballot measure is proposed and a vote held.

IMPACT

Arkansas allows some municipal recalls presently, but not other offices. We think this issue needs more study before consideration.

HJR1012

TITLE

An Amendment To The Arkansas Constitution To Revise The Duties Of Certain Constitutional Officers.

SPONSORS

Payton, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

HJR1013

TITLE

An Amendment To The Arkansas Constitution Concerning The Duties Of Certain Constitutional Officers.

SPONSORS

Payton, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

HJR1009

TITLE

An Amendment To The Arkansas Constitution Concerning The State Highway Commission.

SPONSORS

Dotson, J.

CFC POSITION

Oppose

ANALYSIS

This amendment would restructure the Arkansas Highway and Transportation Commission to provide for increased legislative oversight. It would create a Transportation Commission and replace the director with a cabinet secretary. It requires that at least one member from each Congressional District serve on the commission.

HJR1015 (SJR7, SJR9)

TITLE

A Constitutional Amendment To Permit Legislative Enactment Of Rules Of Pleading, Practice, Procedure, And Evidence For Courts.

SPONSORS

Dotson, J.; Ballinger, B.; Johnson, L.; Beaty, H.; Beck, R.; Bentley, M.; Brooks, K.; Cavanaugh, F.; Cloud, J.; Coleman, B.; Eubanks, J.; Evans, B.; Gonzales, J.; Hawks, S.; Lynch, R.; McCollum, A.; Pilkington, A.; Ray, D.; Rye, J.; Speaks, N.; Underwood, K.; Irvin, M.; Beckham, C.; Bledsoe, C.; Davis, B.; Dismang, J.; Eads, L.; English, J.; Flippo, S.; Garner, T.; Gilmore, B.; Hester, B.; Hill, R.; Johnson, B.; Rapert, J.; Wallace, D.

CFC POSITION

Oppose

ANALYSIS

The amendment gives the legislature the power to determine the conditions under which the state Supreme Court might hear a case. It gives legislators the power to determine the practices, procedures, and pleadings rule-making in court cases. It takes 3/5ths vote in both houses of the legislature to make a change.

IMPACT

The sponsor says it provides a check and balance on the court. Others say it violates the separation of powers. The Arkansas Bar Association (ABA) opposes it. Increases the ability of powerful special interest groups to impact judicial decisions and powers. It allows the Legislature to intervene in judicial rules to change the standards on what types of evidence may be presented and considered, as one example. ABA added that it would make the courts subservient to the legislature.

HJR1016

TITLE

A Constitutional Amendment To Permit Legislative Enactment Of Rules Of Pleading, Practice, Procedure, And Evidence For Courts.

SPONSORS

Dotson, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

HJR1019

TITLE

An Amendment To The Arkansas Constitution Providing That Supreme Court Justices, Court Of Appeals Judges, Circuit Judges, And District Judges Shall Be Elected On A Partisan Basis.

SPONSORS

Lundstrum, R.; Stubblefield, G.; Barker, s.; Beaty, H.; Bentley, M.; Berry, M.; Brown, K.; Bryant, J.; Cavanaugh, F.; Cloud, J.; Cooper, C.; Dotson, J.; Evans, B.; Fite, C.; Furman, T.; Gonzales, J.; Hollowell, S.; Lowery, M.; Lynch, R.; McClure, R.; McCollum, A.; McGrew, R.; McNair, R.; Milligan, J.; Payton, J.; Pilkington, A.; Rye, J.; Smith, B.; Tollett, D.; Vaught, D.; Womack, R.; Wooten, J.; Ballinger, B.; Bledsoe, C.; Garner, T.; Rice, T.

CFC POSITION

Oppose

ANALYSIS

This amendment changes the word "nonpartisan" to "partisan" in existing election law for the judges listed.

IMPACT

The impartiality of judicial decisions may be subject to question in a partisan environment. Partisan judicial elections were eliminated in Arkansas in 2000 with the belief that judges should rule on the law regardless of their political views.

SJR9 (HJR1015, SJR7)

TITLE

A Constitutional Amendment To Permit Legislative Enactment Of Rules Of Pleading, Practice, Procedure, And Evidence For Courts.

SPONSORS

Ballinger, B.; Dotson, J.; Johnson, L.; Beaty, H.; Beck, R.; Bentley, M.; Brooks, K.; Cavanaugh, F.; Cloud, J.; Coleman, B.; Eubanks, J.; Evans, B.; Gonzales, J.; Hawks, S.; Lynch, R.; McCollum, A.; Pilkington, A.; Ray, D.; Rye, J.; Speaks, N.; Underwood, K.; Irvin, M.; Beckham, C.; Bledsoe, C.; Davis, B.; Dismang, J.; Eads, L.; English, J.; Flippo, S.; Garner, T.; Gilmore, B.; Hester, B.; Hill, R.; Johnson, B.; Rapert, J.;

CFC POSITION

Oppose

ANALYSIS

This amendment is the same as SJR7 but has a longer ballot title asserting the need for additional checks and balances on Supreme Court rules. It has one less sponsor. Adds evidence rules to existing Supreme Court rules for all courts. Provides for the legislature with 3/5 of the votes in the House and Senate to prescribe the rules. The legislature's rules would supersede the Courts rules.

IMPACT

The sponsor says it provides a check and balance on the court. Others say it violates the separation of powers. The Arkansas Bar Association (ABA) opposes it. Increases the ability of powerful special interest groups to impact judicial decisions and powers. It allows the Legislature to intervene in judicial rules to change the standards on what types of evidence may be presented and considered, as one example. ABA added that it would make the courts subservient to the legislature.

HJR1015 (SJR7, SJR9)

TITLE

A Constitutional Amendment To Permit Legislative Enactment Of Rules Of Pleading, Practice, Procedure, And Evidence For Courts.

SPONSORS

Ballinger, B.; Dotson, J.; Johnson, L.; Beaty, H.; Beck, R.; Bentley, M.; Brooks, K.; Cavanaugh, F.; Cloud, J.; Coleman, B.; Eubanks, J.; Evans, B.; Gonzales, J.; Hawks, S.; Lynch, R.; McCollum, A.; Pilkington, A.; Ray, D.; Rye, J.; Speaks, N.; Underwood, K.; Irvin, M.; Beckham, C.; Bledsoe, C.; Davis, B.; Dismang, J.; Eads, L.; English, J.; Flippo, S.; Garner, T.; Gilmore, B.; Hester, B.; Hill, R.; Johnson, B.; Rapert, J.; Wallace, D.

CFC POSITION

Oppose

ANALYSIS

It adds evidence rules to existing language for Supreme Court rules followed by all courts. It also provides for the legislature with 3/5 of the votes in the House and Senate to prescribe the rules. The legislature's rules would supersede the Courts rules.

IMPACT

The sponsor says it provides a check and balance on the court. Others say it violates the separation of powers. The Arkansas Bar Association (ABA) opposes it. Increases the ability of powerful special interest groups to impact judicial decisions and powers. It allows the Legislature to intervene in judicial rules to change the standards on what types of evidence may be presented and considered, as one example. ABA added that it would make the courts subservient to the legislature.

HJR1022

TITLE

An Amendment To The Arkansas Constitution Concerning The Powers Of The Supreme Court And General Assembly Pertaining To The Adoption Of Court Rules To Mirror The Federal Rules Enabling Act.

SPONSORS

Gazaway, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is text beyond the title.

NATIONAL CONSTITUTIONAL ISSUES

Six amendments.

SJR17

TITLE

An Amendment To The Arkansas Constitution Concerning A Review Of The Constitutionality Of Certain Federal Actions Prior To Their Implementation.

SPONSORS

Ballinger, B.; Gonzales, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

SJR18

TITLE

An Amendment To The Arkansas Constitution To Provide That The Citizens Of The State Of Arkansas Have A Fundamental Right To Keep And Bear Arms.

SPONSORS

Clark, A.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is text beyond the title.

SJR13 (HJR1023)

TITLE

An Amendment To The Arkansas Constitution To Provide That The Citizens Of The State Of Arkansas Have A Fundamental Right To Keep And Bear Arms.

SPONSORS

Rapert, J.; Gazaway, J.

CFC POSITION

Oppose

ANALYSIS

This amendment adds the right to bear arms to the Arkansas Constitution mirroring the US second amendment. It goes on to say this right can't be infringed on by the state or any political subdivision.

IMPACT

This may eliminate gun-free zones such as schools, hospitals, etc. It's not needed as the US constitution applies in the state.

HJR1024 (SJR14)

TITLE

An Amendment To The Arkansas Constitution To Create The "Arkansas Religious Freedom Amendment."

SPONSORS

Gazaway, J.; Rapert, J.

CFC POSITION

Oppose

ANALYSIS

This amendment provides additional support for religious objections to various governmental operations above those in the first amendment of the U.S. Constitution. The burden of proof is on the Government to demonstrate that there is a "compelling" government interest.

IMPACT

This amendment may be in response to the federal Equality Act which has passed in the House and moved to the Senate. It is also possible that this is partially in response to the restrictions on in-person meetings of churches that applied to all businesses and schools as well during the pandemic. We have opposed legislation like this in the past as it may legalize discrimination against whole classes of people, intended by the legislation and beyond. This may broaden challenges in many areas including child welfare and education.

SJR14 (HJR1024)

TITLE

An Amendment To The Arkansas Constitution To Create The "Arkansas Religious Freedom Amendment."

SPONSORS

Rapert, J.; Gazaway, J.

CFC POSITION

Oppose

ANALYSIS

This amendment provides additional support for religious objections to various governmental operations above those in the first amendment of the U.S. Constitution. The burden of proof is on the Government to demonstrate that there is a "compelling" government interest.

IMPACT

This amendment may be in response to the federal Equality Act which has passed in the House and moved to the Senate. It is also possible that this is partially in response to the restrictions on in-person meetings of churches that applied to all businesses and schools as well during the pandemic. We have opposed legislation like this in the past as it may legalize discrimination against whole classes of people, intended by the legislation and beyond. This may broaden challenges in many areas including child welfare and education.

BALLOT INITIATIVES

Two amendments.

HJR1005

TITLE

A Constitutional Amendment To Be Known As The "Constitutional Amendment And Ballot Initiative Reform Amendment."

SPONSORS

Ray, D.; Hester, B.; Gonzales, J.; Vaught, D.; Barker, S.; Beaty, H.; Bentley, M.; Berry, M.; Boyd, J.; Bragg, K.; Breaux, H.; Brooks, K.; Brown, K.; Bryant, J.; Cavanaugh, F.; Davis, M.; Dotson, J.; Fite, L.; Furman, T.; Gray, M.; Hollowell, S.; Johnson, L.; Lundstrum, R.; Lynch, R.; McCollum, A.; McGrew, R.; Milligan, J.; Payton, J.; Penzo, C.; Pilkington, A.; Richmond, M.; Rye, J.; Smith, B.; Underwood, K.; Gilmore, B.; Ballinger, B.; Davis, B.; Rapert, J.; English, J.; Johnson, M.; Bledsoe, C.

CFC POSITION

Oppose

ANALYSIS

This amendment increases the percentage of votes needed from simple majority to 60 percent to pass ballot measures including constitutional measures or salary changes for constitutional officers including legislators referred by the legislature. A simple majority is needed to repeal a measure. When conflicting measures pass with 60 percent the one with the most votes shall become law.

IMPACT

This will make it harder for voters to exercise their right to by-pass the legislature to pass initiated acts, or amend the constitution.

HJR1008

TITLE

An Amendment To The Arkansas Constitution To Be Known As The "Ballot Initiative Reform Amendment."

SPONSORS

Vaught, D.

CFC POSITION

n/a

ANALYSIS

This amendment raises the percentage of votes needed from a simple majority to 60 percent for a ballot measure or a referendum to reject an emergency measure. If two conflicting measures pass with 60 percent or more the one with the highest percentage prevails. This amendment does not add the language that a simple majority can repeal a measure. Otherwise is the same as HJR1005.

IMPACT

This will make it harder for voters to exercise their right to by-pass the legislature to pass initiated acts, or amend the constitution.

ELECTIONS

Four amendments. One of these amendments changes the primary process requiring all candidates to run on one ballot. Other amendments are shell bills.

SJR5

TITLE

An Amendment To The Arkansas Constitution Concerning The Manner In Which Primary Elections Are Conducted.

SPONSORS

Rapert, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

SJR6

TITLE

An Amendment To The Arkansas Constitution Requiring The General Assembly To Establish By Law A Revised Election Process.

SPONSORS

Tucker, C.; Gazaway, J.

CFC POSITION

n/a

ANALYSIS

The amendment, if passed, would require the General Assembly to create a process in which candidates in a primary election, special primary election, or election for a non-partisan office, appear on a single ballot regardless of political party affiliation, and the top two candidates for each office will advance to the general election or special election. This process does not apply to determining nominees for the President of the United States or local, municipal elections. It does apply to county elections.

IMPACT

This would end party primaries and create "open" primaries where all candidates run against each other and the top two candidates advance to the final election regardless of party affiliation. The League of Women Voters of Arkansas supported a similar strategy previously.

SJR12

TITLE

An Amendment To The Arkansas Constitution Concerning The Qualifications To Vote In An Election.

SPONSORS

Leding, G.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

HJR1017

TITLE

An Amendment To The Arkansas Constitution To Provide For Certain Elected Officials To Be Elected On A Partisan Basis.

SPONSORS

Dotson, J.

CFC POSITION

n/a

ANALYSIS

Appears to be a shell resolution. There is no text beyond the title.

EDUCATION

Four amendments.

HJR1018

TITLE

A Constitutional Amendment To Provide That Lottery Proceeds May Be Used To Fund Or Provide Scholarships And Grants To Arkansas Citizens Enrolled In Vocational-technical Schools And Technical Institutes.

SPONSORS

Lundstrum, R.; English, J.; Barker, s.; Beaty, H.; Beck, R.; Bentley, M.; Berry, M.; Boyd, J.; Breaux, H.; Brooks, K.; Brown, K.; Bryant, J.; Carr, J.; Christiansen, C.; Cloud, J.; Coleman, B.; Cooper, C.; Crawford, C.; Dotson, J.; Evans, B.; Fite, C.; Furman, T.; Garner, D.; Gray, M.; Haak, D.; Hollowell, S.; Johnson, L.; Ladyman, J.; Lowery, M.; Lynch, R.; McClure, R.; McElroy, M.; McGrew, R.; McNair, R.; Miller, J.; Milligan, J.; Penzo, C.; Pilkington, A.; Rye, J.; Smith, B.; Speaks, N.; Tollett, D.; Underwood, K.; Warren, L.; Watson, D.; Wing, C.; Womack, R.; Ballinger, B.; Bledsoe, C.; Clark, A.; Hammer, K.; Irvin, M.; Johnson, M.; Rice, T.; Eads, L.

CFC POSITION

Support

ANALYSIS

This amendment allows students in post-secondary career programs to have funding for further education just as college-bound students have. A constitutional amendment is needed because the lottery and its purpose were established in the constitution by a ballot amendment.

IMPACT

Currently, lottery scholarships may only be used by students seeking a degree at a 2- or 4-year college or university. This will expand eligible students to those who are seeking technical degrees or certifications like plumbers, electricians, etc.

HJR1003

TITLE

An Amendment To The Arkansas Constitution To Provide For The Maintenance And Operation Of Libraries, Capital Improvements To Libraries, And The Construction Of Libraries.

SPONSORS

Gray, M.; Sturch, J.

CFC POSITION

Support

ANALYSIS

An amendment to provide for the maintenance and operation of city millages or county millages for libraries, capital improvements to libraries, and the construction of libraries. The amendment would allow voters in cities with a population of 1,000 (currently 5,000) or more to seek millage increases to pay for improvements, maintenance, and expansion of libraries. Existing maintenance and operation tax proceeds may be used for capital improvements or construction. If the population declines below 1,000 the tax shall still be collected.

SJR4

TITLE

A Constitutional Amendment Providing The General Assembly Shall Provide By Law For The Establishment, Maintenance, And Support Of Free Public Schools Subject To Such Conditions And Limitations As The General Assembly May Prescribe.

SPONSORS

Johnson, M.

CFC POSITION

Oppose

ANALYSIS

This amendment revises the constitutional requirement for the state to provide free education. Revisions say the Legislature shall provide free public schools subject to the conditions and limitations the General Assembly may provide. Eliminates constitutional language: "the State shall ever maintain a general, suitable and efficient system of free public schools and shall adopt all suitable means to secure to the people the advantages and opportunities of education." Which in turn eliminates the constitutionally based requirement for adequacy. Legislative judgment is the sole determinant.

IMPACT

This would decimate the legal foundation for state education standards and funding. It would likely result in dramatic decreases in education funding, academic standards, and efforts towards educational equity in Arkansas.

SJR16

TITLE

An Amendment To The Arkansas Constitution Providing That Interscholastic Or Intramural Athletic Teams That Are Sponsored By A Public School Shall Be Expressly Designated Based On Biological Sex.

SPONSORS

Clark, A.

CFC POSITION

Oppose

ANALYSIS

This amendment requires that public school sports be limited by biological sex. It is intended to prevent transgender women or girls (biologically male) from competing against biological women or girls.

IMPACT

The premise for this bill lacks scientific support and encourages discrimination against individuals who are transgender or gender-nonconforming.

OTHER AMENDMENTS

Seven other amendments.

HJR1007

TITLE

An Amendment To The Arkansas Constitution To Create The Citizens Commission On The Minimum Wage, With The Sole Authority To Implement Increases To The Minimum Wage.

SPONSORS

Love, F.

CFC POSITION

Support

ANALYSIS

This amendment establishes a citizens' commission to determine the minimum wage and restricts the legislature from establishing or amending the minimum wage. The terms and selection of the seven commission members are established. The Labor Department is to staff the Commission. Diversity is to be considered. It also establishes who cannot serve such as a state employee or family member of a person holding civil office. Biennial decisions are required. Public notice and opportunity for public comment must be provided for proposed increases. Other operational procedures are established. The minimum wage established by the Commission will supersede that established by the General Assembly.

IMPACT

This establishes the minimum wage commission at a governmental level similar to the Arkansas Highway and Transportation Commission which is authorized to determine what work is done without executive or legislative interference.

HJR1010

TITLE

A Constitutional Amendment To Remove The Authorization For Casino Gaming In Pope County.

SPONSORS

Cloud, J.

CFC POSITION

n/a

ANALYSIS

This amendment revises a past constitutional amendment permitting four casinos to remove the permission for a casino in Pope County (Russellville). No other changes are made. Casino gambling is still permitted in one facility in Crittenden County (West Memphis), Garland County (Hot Springs), and Jefferson County (Pine Bluff). In these three cases, the Arkansas Racing Commission selects the licensee.

IMPACT

This eliminates the ability of Pope County to have a casino.

HJR1011

TITLE

A Constitutional Amendment To Provide For A Local Option Election Concerning Casino Gaming In Pope County

SPONSORS

Cloud, J.

CFC POSITION

n/a

ANALYSIS

HJR1011 makes changes to Amendment 100, which was passed by voters in 2018 to expand casino gaming in Arkansas. All amendments are specific to Pope County in an attempt to address local concerns.

IMPACT

This requires a new Pope County election for a casino.

HJR1021

TITLE

An Amendment To The Arkansas Constitution To Repeal The Exception To The Prohibition Of Slavery And Involuntary Servitude.

SPONSORS

Flowers, V.; Elliott, J.; Allen, F.; Beck, R.; Clowney, N.; Collins, A.; Cozart, B.; Davis, M.; Deffenbaugh, G.; Eubanks, J.; Fielding, D.; Garner, D.; Godfrey, M.; Gray, M.; Hawks, S.; Hodges, M.; Hudson, A.; Jean, L.; Jett, L.; Johnson, L.; Love, F.; McCullough, T.; Murdock, R.; Nicks, M.; Richardson, J.; Richmond, M.; Scott, J.; Smith, B.; Springer, J.; Tollett, D.; Wardlaw, J.; Whitaker, D.; Womack, R.; Ferguson, D.; Ferguson, K.; Bledsoe, C.; Chesterfield, L.; Hester, B.; Leding, G.; Tucker, C.; Ingram, K.; Hendren, J.; Davis, B.; Clark, A.

CFC POSITION

Support

ANALYSIS

The current Arkansas Constitution permits slavery and involuntary servitude as a punishment for a crime. This amendment would abolish all forms of slavery. Prisoners are to receive money or "good time" for their labor.

IMPACT

Slavery of any kind is immoral and should not be in our state constitution. This is an opportunity to remove it.

SJR1

TITLE

A Constitutional Amendment Providing That A Municipality May Incur Short-term Financing Obligations Maturing Over A Period Of, Or Having A Term, Not To Exceed Ten (10) Years For The Purpose Of Acquiring Fire Trucks.

SPONSORS

Clark, A.

CFC POSITION

Support

ANALYSIS

Currently, the constitution limits short-term financial obligations for municipalities and counties to five years. This would extend that to 10 years solely for the purpose of acquiring fire trucks.

SJR3

TITLE

An Amendment To Arkansas Constitution, Article 5, Section 20, Permitting The State Of Arkansas To Be Sued As A Defendant In State Court In The Same Circumstances As Any Other Party.

SPONSORS

Clark, A.

CFC POSITION

n/a

ANALYSIS

This amendment eliminates sovereign immunity (the state cannot be sued in her own courts.) It permits the legislature to establish laws of process for suing the State. The Arkansas Claims Commission would be used only if other actions were not available due to statutes of limitations.

TITLE

An Amendment To The Arkansas Constitution To Create An Implied Warranty Of Habitability And Provide Protections To Arkansas Tenants.

SPONSORS

Leding, G.; Richardson, J.

CFC POSITION

Support

ANALYSIS

This amendment establishes tenant and landlord rights in the state. Measures addressed include:

- Decriminalizing failure to pay rent or to vacate
- Legal provisions of rental agreements are listed
- Disclosure required by the landlord in writing before the rental agreement
- Landlord's requirements for maintaining habitable, healthy premises (extensive detail)
- Tenant remedies for landlord noncompliance including withholding rent
- Noncompliance by the landlord may be a defense by the tenant
- Retaliation by the landlord is prohibited
- Tenant remedies are outlined in the event there is landlord retaliation
- Requirements for reasonable access by the landlord to the dwelling
- Penalties to the tenant for abuse of the property
- Payment of rent and rent increases
- Illegal evictions and penalties for such

IMPACT

We have supported similar legislation that creates minimum health and safety standards for Arkansas renters. We are the only state in the U.S. that does not have any minimal housing standards.



CFC MEMBER GROUPS

AAUW of Arkansas
Arkansas Education Association
Arkansans for a Container Deposit Law
Arkansans For Fair Landlord-Tenant Laws
Arkansas Advocates for Children and Families
Arkansas Citizens Climate League
Arkansas Coalition for Peace and Justice
Arkansas Coalition to Abolish the Death Penalty
Arkansas Communities Organization
Arkansas Conservation Coalition
Arkansas Hunger Relief Alliance
Arkansas Interfaith Power and Light
Arkansas Renewable Energy Association
Arkansas United
Arkansas Youth Coalition For Social Change
Bridges Buffalo River Watershed Alliance
Concerned Citizens of Prescott
Concerned Citizens of the Marvell Area
Concerned Citizens of the Monticello Area
Concerned Citizens of Waldo
Faulkner County Coalition for Social Justice
Gould Citizens Advisory Council
Gould Organizing Project
Human Rights Campaign
Indivisible Little Rock & Central Arkansas
Inmate Justice Project
League Of Women Voters of Arkansas
Magnolia Community Awareness Council
OMNI Center for Peace, Justice, and Ecology
PACE (Police and Community Engagement)
Planned Parenthood
R.A.C.E. Society (Rara Avis Civic Engagement)
Arkansas Sierra Club
Strong Community Leadership Alliance
Unitarian Universalist Church of Little Rock
Unitarian Universalist Village Church
Unitarian Universalist Fellowship of Fayetteville
W.A.N.D (Women's Action for New Directions)