

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H2/6/25

A Bill

HOUSE BILL 1222

5 By: Representative Ray
6 By: Senator K. Hammer
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING INITIATIVE
10 PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE THE
11 ATTORNEY GENERAL TO REVIEW BALLOT TITLES FOR
12 CONFLICTS WITH THE UNITED STATES CONSTITUTION AND
13 FEDERAL STATUTES; TO PROHIBIT THE SUBMISSION OF
14 CONFLICTING INITIATIVE PETITIONS AND REFERENDUM
15 PETITIONS; AND FOR OTHER PURPOSES.
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Subtitle

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19 *TO REQUIRE THE ATTORNEY GENERAL TO*
20 *REVIEW BALLOT TITLES FOR CONFLICTS WITH*
21 *THE UNITED STATES CONSTITUTION AND*
22 *FEDERAL STATUTES; AND TO PROHIBIT THE*
23 *SUBMISSION OF CONFLICTING INITIATIVE*
24 *PETITIONS AND REFERENDUM PETITIONS.*
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code § 7-9-107(e), concerning filing of the
29 original draft of an initiative petition or referendum petition before
30 circulation, is amended to read as follows:

31 (e) If, as a result of his or her review of the ballot title and
32 popular name of a proposed initiated act or a proposed amendment to the
33 Arkansas Constitution, the Attorney General determines that the ballot title
34 or the nature of the issue, is presented in such manner that the ballot title
35 would be misleading or designed in such manner that a vote "FOR" the issue
36 would be a vote against the matter or viewpoint that the voter believes



1 himself or herself casting a vote for, or, conversely, that a vote "AGAINST"
2 the issue would be a vote for a viewpoint that the voter is against, or that
3 the text of the proposal conflicts with the United States Constitution or a
4 federal statute, the Attorney General may reject the entire ballot title,
5 popular name, and petition and state his or her reasons therefor and instruct
6 the petitioners to redesign the proposed measure and the ballot title and
7 popular name in a manner that would not be misleading or in conflict with the
8 United States Constitution or a federal statute.

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10 SECTION 2. Arkansas Code § 7-9-107, concerning filing of the original
11 draft of an initiative petition or referendum petition before circulation, is
12 amended to add an additional subsection to read as follows:

13 (g)(1) A sponsor shall not submit multiple initiative petitions or
14 referendum petitions that are conflicting measures to the Attorney General
15 for review, except as follows:

16 (A) If an initiative petition or referendum petition is
17 certified under this section, a sponsor may submit an initiative petition or
18 referendum petition that is a conflicting measure with the certified
19 initiative petition or certified referendum petition after the date of the
20 next general election following the certification; or

21 (B) If an initiative petition or referendum petition is
22 rejected under this section, a sponsor may submit an initiative petition or
23 referendum petition that is a conflicting measure with the rejected
24 initiative petition or referendum petition.

25 (2) The Attorney General shall reject all initiative petitions
26 and referendum petitions that are submitted by a sponsor in violation of this
27 subsection.

28 (3) As used in this subsection, "conflicting measures" means two
29 (2) or more initiative petitions or referendum petitions that:

30 (A) Cover the same subject matter;

31 (B) Are for the same general purpose; and

32 (C) Contain different language in any part of their full
33 texts, ballot titles, or popular names.

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35 SECTION 3. SEVERABILITY. The provisions of this act are declared to
36 be severable, and the invalidity of any provision of this act shall not

1 affect other provisions of the act which can be given effect without the
2 invalid provision.

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/s/Ray