

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

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

HJR 1010

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5 By: Representative Unger  
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8 **HOUSE JOINT RESOLUTION**

9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO AMEND  
10 THE PROCESS FOR THE REMOVAL OF A MEMBER OF A BOARD OR  
11 COMMISSION ESTABLISHED UNDER THE ARKANSAS  
12 CONSTITUTION OR ARKANSAS LAW; TO PROVIDE THAT BY A  
13 VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERSHIP OF THE  
14 SENATE, THE SENATE MAY REMOVE A MEMBER OF A BOARD OR  
15 COMMISSION ESTABLISHED UNDER THE ARKANSAS  
16 CONSTITUTION OR ARKANSAS LAW BEFORE THE EXPIRATION OF  
17 HIS OR HER TERM FOR CAUSE ONLY, AFTER NOTICE AND  
18 HEARING; AND TO PROVIDE THAT REMOVAL BY THE SENATE  
19 UNDER THIS AMENDMENT SHALL BE SUPPLEMENTAL TO OTHER  
20 METHODS OF REMOVAL PROVIDED FOR UNDER THE ARKANSAS  
21 CONSTITUTION OR ARKANSAS LAW.  
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23

24 **Subtitle**

25 A CONSTITUTIONAL AMENDMENT TO PROVIDE  
26 THAT BY A TWO-THIRDS VOTE, THE SENATE  
27 MAY REMOVE MEMBERS OF CERTAIN BOARDS AND  
28 COMMISSIONS FOR CAUSE ONLY, AFTER NOTICE  
29 AND HEARING.  
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31 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL  
32 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL  
33 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:  
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35 THAT the following is proposed as an amendment to the Constitution of  
36 the State of Arkansas, and upon being submitted to the electors of the state



1 for approval or rejection at the next general election for Representatives  
2 and Senators, if a majority of the electors voting thereon at the election  
3 adopt the amendment, the amendment shall become a part of the Constitution of  
4 the State of Arkansas, to wit:

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6 SECTION 1. Arkansas Constitution, Article 19, § 31(b), concerning the  
7 independent citizens commission existing for the purpose of setting salaries  
8 of elected constitutional officers of the executive department, members of  
9 the General Assembly, justices, judges, and prosecuting attorneys, is amended  
10 to add an additional subdivision to read as follows:

11 (9) By a vote of at least two-thirds (2/3) of the membership of  
12 the Senate, the Senate may remove a member of the independent citizens  
13 commission before the expiration of his or her term for cause only, after  
14 notice and hearing.

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16 SECTION 2. Arkansas Constitution, Amendment 33, § 4, is amended to  
17 read as follows:

18 § 4. Removal of member – Procedure —~~Appeal.~~

19 ~~The Governor shall have the power to remove any member of such boards~~  
20 ~~or commissions before the expiration of his term for cause only, after notice~~  
21 ~~and hearing. Such removal shall become effective only when approved in~~  
22 ~~writing by a majority of the total number of the board or commission, but~~  
23 ~~without the right to vote by the member removed or by his successor, which~~  
24 ~~action shall be filed with the Secretary of State together with a complete~~  
25 ~~record of the proceedings at the hearing.~~

26 ~~An appeal may be taken to the Pulaski Circuit Court by the Governor or~~  
27 ~~the member ordered removed, and the same shall be tried de novo on the~~  
28 ~~record. An appeal may be taken from the circuit court to the Arkansas Supreme~~  
29 ~~Court, which shall likewise be tried de novo.~~

30 By a vote of at least two-thirds (2/3) of the membership of the Senate,  
31 the Senate may remove a member of a board or commission under this amendment  
32 before the expiration of his or her term for cause only, after notice and  
33 hearing.

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35 SECTION 3. Arkansas Constitution, Amendment 35, § 5, is amended to  
36 read as follows:

1 ~~A Commissioner may be removed by the Governor only for the same causes~~  
2 ~~as apply to other Constitutional Officers, after a hearing which may be~~  
3 ~~reviewed by the Chancery Court for the First District with right of appeal~~  
4 ~~therefrom to the Supreme Court, such review and appeal to be without~~  
5 ~~presumption in favor of any finding by the Governor or the trial court.~~

6 By a vote of at least two-thirds (2/3) of the membership of the Senate,  
7 the Senate may remove a Commissioner under this amendment before the  
8 expiration of his or her term for cause only, after notice and hearing.

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10 SECTION 4. Arkansas Constitution, Amendment 66, concerning the  
11 Judicial Discipline and Disability Commission, is amended to add an  
12 additional subdivision to read as follows:

13 (h) By a vote of at least two-thirds (2/3) of the membership of the  
14 Senate, the Senate may remove a member of the Commission before the  
15 expiration of his or her term for cause only, after notice and hearing.

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17 SECTION 5. Arkansas Constitution, Amendment 98, § 19(a), concerning  
18 the Medical Marijuana Commission, is amended to read as follows:

19 (7) By a vote of at least two-thirds (2/3) of the membership of  
20 the Senate, the Senate may remove a member of the commission before the  
21 expiration of his or her term for cause only, after notice and hearing.

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23 SECTION 6. Arkansas Constitution, Article 5, is amended to add an  
24 additional section to read as follows:

25 § 43. Removal of members of boards and commissions.

26 (a) By a vote of at least two-thirds (2/3) of the membership of the  
27 Senate, the Senate may remove a member of a board or commission established  
28 under this Constitution or Arkansas law before the expiration of his or her  
29 term for cause only, after notice and hearing.

30 (b) The method for removal of a member of a board or commission under  
31 subsection (a) of this section shall be supplemental to other methods of  
32 removal provided for by this Constitution or Arkansas law.

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34 SECTION 7. EFFECTIVE DATE. This amendment to the Arkansas  
35 Constitution is effective on and after January 1, 2027.

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1           SECTION 8.  BALLOT TITLE AND POPULAR NAME.  When this proposed  
2 amendment is submitted to the electors of this state on the general election  
3 ballot:

4                   (1) The title of this joint resolution shall be the ballot  
5 title; and

6                   (2) The popular name shall be "A Constitutional Amendment to  
7 Amend the Process for the Removal of a Member of a Board or Commission  
8 Established Under the Arkansas Constitution or Arkansas Law; to Provide that  
9 by a Vote of at Least Two-Thirds (2/3) of the membership of the Senate, the  
10 Senate May Remove a Member of a Board or Commission Established Under the  
11 Arkansas Constitution or Arkansas Law Before the Expiration of His or Her  
12 Term For Cause Only, After Notice and Hearing; and to Provide that Removal by  
13 the Senate Under this Amendment Shall Be Supplemental to Other Methods of  
14 Removal Provided for Under the Arkansas Constitution or Arkansas Law."

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