

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

As Engrossed: H2/19/25

A Bill

SENATE BILL 211

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

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING INITIATIVE
10 PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE A
11 CANVASSER TO SUBMIT AN AFFIDAVIT BEFORE SIGNATURES
12 CAN BE COUNTED; TO DECLARE AN EMERGENCY; AND FOR
13 OTHER PURPOSES.
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Subtitle

16 TO AMEND THE LAW CONCERNING INITIATIVE
17 PETITIONS AND REFERENDUM PETITIONS; TO
18 REQUIRE A CANVASSER TO SUBMIT AN
19 AFFIDAVIT BEFORE SIGNATURES CAN BE
20 COUNTED; AND TO DECLARE AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 7-9-111, concerning the determination of
26 the sufficiency of a petition for initiatives, referenda, and constitutional
27 amendments, is amended to add additional subsections to read as follows:

28 (j)(1) Except as provided under subdivision (j)(4) of this section, a
29 canvasser shall file a true affidavit with the Secretary of State certifying
30 that the canvasser has complied with the Arkansas Constitution and all
31 Arkansas law regarding canvassing, perjury, forgery, and fraudulent practices
32 in the procurement of petition signatures during the current election cycle.

33 (2) The Secretary of State shall not count the signatures
34 submitted by the canvasser until a true affidavit is submitted under
35 subdivision (j)(1) of this section.

36 (3) A true affidavit submitted under subdivision (j)(1) of this



1 section shall have no bearing to establish the genuineness or falsity of the
2 signatures obtained by the canvasser.

3 (4)(A) The inability of a canvasser to submit an affidavit due
4 to death or medical disability shall not disqualify the signatures gathered
5 by the canvasser.

6 (B) Subdivision (j)(4)(A) of this section does not excuse
7 a canvasser from filing the affidavit required under § 7-9-109.

8 (k) A canvasser who has filed a true affidavit under subsection (j) of
9 this section shall not collect additional signatures unless the Secretary of
10 State determines that the sponsor of the initiative petition or referendum
11 petition is eligible for an amendment to the initiative petition or
12 referendum petition under Arkansas Constitution, Art. 5, § 1.

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14 SECTION 2. Arkansas Code § 7-9-126(c), concerning signatures that will
15 not be counted for any reason that appear on the petition, is amended to add
16 an additional subdivision to read as follows:

17 (8) Signatures submitted by a canvasser who has not filed a true
18 affidavit with the Secretary of State as required under § 7-9-111 certifying
19 that the canvasser has complied with the Arkansas Constitution and all
20 Arkansas laws regarding canvassing, perjury, forgery, and fraudulent
21 practices in the procurement of petition signatures during the current
22 election cycle.

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24 SECTION 3. DO NOT CODIFY. SEVERABILITY. The provisions of this act
25 are declared to be severable and the invalidity of any provision of this act
26 shall not affect other provisions of the act which can be given effect
27 without the invalid provision.

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29 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
30 General Assembly of the State of Arkansas that the process for citizens to
31 propose initiated acts and amendments to the Arkansas Constitution is
32 critical to a well-functioning democracy in this state; that it is of the
33 utmost importance that the integrity of the initiative process be
34 strengthened through this act so that petitioners and voters maintain a high
35 degree of confidence in the soundness of their right to legislate as citizens
36 of Arkansas; and that this act is immediately necessary because any delay in

1 the implementation of this act would disrupt the initiative process for the
2 2026 general election, which would have a detrimental effect on the public
3 peace, health, and safety of Arkansas. Therefore, an emergency is declared to
4 exist, and this act being immediately necessary for the preservation of the
5 public peace, health, and safety shall become effective on:

6 (1) The date of its approval by the Governor;

7 (2) If the bill is neither approved nor vetoed by the Governor,
8 the expiration of the period of time during which the Governor may veto the
9 bill; or

10 (3) If the bill is vetoed by the Governor and the veto is
11 overridden, the date the last house overrides the veto.

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13 */s/K. Hammer*
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