

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: S2/20/23

A Bill

SENATE BILL 260

5 By: Senator J. Dotson
6 By: Representatives Underwood, Achor, John Carr, Gonzales, G. Hodges, Lundstrum, McCollum, J.
7 Moore, Pilkington, Rose, Wardlaw
8

For An Act To Be Entitled

9
10 AN ACT TO CREATE THE ENSURING ACCESS FOR ALL
11 ARKANSANS AND VOTER PROTECTION ACT OF 2023; TO AMEND
12 THE PROCEDURE FOR THE FILING OF A BALLOT INITIATIVE
13 PETITION AND REFERENDUM PETITION; TO AMEND THE LAW
14 CONCERNING STATEWIDE PETITIONS; TO DECLARE AN
15 EMERGENCY; AND FOR OTHER PURPOSES.
16
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Subtitle

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19 TO CREATE THE ENSURING ACCESS FOR ALL
20 ARKANSANS AND VOTER PROTECTION ACT OF
21 2023; TO AMEND THE PROCEDURE FOR THE
22 FILING OF A BALLOT INITIATIVE AND
23 REFERENDUM PETITION; AND TO DECLARE AN
24 EMERGENCY.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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29 SECTION 1. DO NOT CODIFY. Title.

30 This act shall be known and may be cited as the "Ensuring Access for
31 All Arkansans and Voter Protection Act of 2023".
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33 SECTION 2. Arkansas Code § 7-9-126, concerning the count of signatures
34 for initiative petitions or referendum petitions, is amended to add
35 additional subsections to read as follows:

36 (e) In order to certify a measure for the state wide election ballot,



1 the official charged with verifying the signatures on an initiative petition
2 or referendum petition shall also verify:

3 (1) For a statutory initiative petition or referendum petition,
4 that:

5 (A) Petitions are filed from a minimum of fifty (50)
6 counties of the state; and

7 (B) The petitions bear the signature of a minimum of
8 three-fourths (3/4) of the designated percentage of the electors of each
9 county represented in subdivision (e)(1)(A) of this section; and

10 (2) For an initiative petition for a constitutional amendment,
11 that:

12 (A) Petitions are filed from fifty (50) counties of the
13 state; and

14 (B) The petitions bear the signature of a minimum of
15 three-fourths (3/4) of the designated percentage of the electors of each
16 county represented in subdivision (e)(2)(A) of this section.

17 (f) If the requirements of subsection (e) of this section are less
18 than the designated number of signatures or counties represented by petitions
19 required by the Arkansas Constitution and statutory law in order to certify
20 the measure for the ballot and the deadline for filing petitions has passed,
21 the official charged with verifying the signatures shall declare the petition
22 insufficient and shall not accept and file any additional signatures to cure
23 the insufficiency of the petition on its face.

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25 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General
26 Assembly of the State of Arkansas that the laws of the State of Arkansas
27 apply to all Arkansans; that there is a need to increase participation from
28 all parts of Arkansas in the process obtaining signatures on initiative
29 petitions and referendum petitions; that broad participation in the
30 initiative and referendum process ensures the public health, safety, and
31 welfare of all Arkansans by allowing citizens to exercise their
32 constitutional rights; and that this act is immediately necessary because
33 there is need to enhance and protect Arkansans' voice in the ballot
34 initiative and referendum process. Therefore, an emergency is declared to
35 exist, and this act being immediately necessary for the preservation of the
36 public peace, health, and safety shall become effective on:

- 1 (1) The date of its approval by the Governor;
- 2 (2) If the bill is neither approved nor vetoed by the Governor,
- 3 the expiration of the period of time during which the Governor may veto the
- 4 bill; or
- 5 (3) If the bill is vetoed by the Governor and the veto is
- 6 overridden, the date the last house overrides the veto.

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/s/J. Dotson