

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

As Engrossed: H3/17/25

## A Bill

HOUSE BILL 1713

5 By: Representatives Rose, Crawford, Hawk, Long, Lundstrum, McGrew, S. Meeks, Ray, Underwood,  
6 Unger

7 By: Senators M. Johnson, J. Boyd, J. Bryant, Caldwell, A. Clark, Gilmore, K. Hammer, Hester, M.  
8 McKee, D. Wallace

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### For An Act To Be Entitled

11 AN ACT TO AMEND THE LAW CONCERNING THE FILING OF AN  
12 ORIGINAL DRAFT BEFORE CIRCULATION AS AN INITIATIVE  
13 PETITION OR REFERENDUM PETITION; TO REQUIRE BALLOT  
14 TITLES FOR INITIATED MEASURES TO BE AT OR UNDER A  
15 CERTAIN READING LEVEL; TO DECLARE AN EMERGENCY; AND  
16 FOR OTHER PURPOSES.

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### Subtitle

19 TO REQUIRE BALLOT TITLES FOR INITIATED  
20 MEASURES TO BE AT OR UNDER A CERTAIN  
21 READING LEVEL; AND TO DECLARE AN  
22 EMERGENCY.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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27 SECTION 1. DO NOT CODIFY. Legislative findings.

28 The General Assembly finds that:

29 (1) Arkansas Constitution, Article 5, Section 1 protects the  
30 right of citizens to enact laws and constitutional amendments through the  
31 initiative process and to repeal laws enacted by the General Assembly through  
32 the referendum process;

33 (2) The State of Arkansas has a compelling interest in:

34 (A) Preserving and protecting the integrity of the  
35 initiative process and the referendum process; and

36 (B) Protecting voters from initiatives and referenda that



1 are deficient, confusing, or misleading or that are placed on the ballot by  
2 means of conduct that is:

- 3 (i) Misleading;
- 4 (ii) Fraudulent;
- 5 (iii) Felonious; or
- 6 (iv) Otherwise unlawful;

7 (3) The General Assembly may further these compelling interests  
8 by enacting laws:

9 (A) Intended to deter and penalize:

- 10 (i) Misrepresentation of an issue, measure, or  
11 question; or
- 12 (ii) Misrepresentation of the effects of an issue,  
13 measure, or question; and

14 (B) Of a practical nature to facilitate the initiative and  
15 referendum process; and

16 (4) Without reasonable and responsible laws and oversight, it  
17 may be possible for promoters of a measure, issue, or question to benefit  
18 from conduct that is:

- 19 (A) Misleading;
- 20 (B) Fraudulent;
- 21 (C) Felonious; or
- 22 (D) Otherwise unlawful.

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

27 (g)(1) The Attorney General shall not certify a proposed ballot title  
28 with a reading level above eighth grade as determined by the Flesch-Kincaid  
29 Grade Level formula as it existed on January 1, 2025.

30 (2) If the Attorney General rejects a proposed ballot title  
31 under subdivision (g)(1) of this section, the Attorney General shall state  
32 the reasons for rejection and instruct the petitioners to redesign the  
33 proposed ballot title or proposed measure in a manner that does not violate  
34 this subsection.

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36 SECTION 3. DO NOT CODIFY. Retroactivity.

1 This act does not apply to a proposed ballot title that has already  
2 been certified by the Attorney General for circulation before the effective  
3 date of this act.

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5 SECTION 4. DO NOT CODIFY. EMERGENCY CLAUSE.

6 It is found and determined by the General Assembly of the State of  
7 Arkansas that it is essential to establish greater clarity and consistency in  
8 the procedures that facilitate initiatives and referenda; that legislation is  
9 needed to ensure a fair, transparent, and uniform approval process for all  
10 measures presented to voters; and that this act is immediately necessary to  
11 preserve the public peace, health, and safety by protecting the rights of  
12 voters through transparency and clarity in the initiative approval process.  
13 Therefore, an emergency is declared to exist, and this act being immediately  
14 necessary for the preservation of the public peace, health, and safety shall  
15 become effective on:

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

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

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

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23 /s/Rose

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26 **APPROVED: 4/14/25**  
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