

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

As Engrossed: H2/21/23

# A Bill

HOUSE BILL 1419

5 By: Representatives Underwood, Achor, John Carr, Gonzales, G. Hodges, Lundstrum, McCollum, J.  
6 Moore, Pilkington, Rose, Wardlaw, *Gazaway, B. McKenzie*  
7 By: Senators J. Dotson, *Hester*  
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## For An Act To Be Entitled

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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.  
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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 at least fifty (50) counties  
6 of the state; and

7 (B) The petitions bear the signature of at least one-half  
8 (1/2) of the designated percentage of the electors of each county represented  
9 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 at least fifty (50) counties  
13 of the state; and

14 (B) The petitions bear the signature of at least one-half  
15 (1/2) of the designated percentage of the electors of each county represented  
16 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 of 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 a need to enhance and protect Arkansans' voices 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:

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

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

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

/s/Underwood