

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

A Bill

HOUSE BILL 1713

4
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

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.

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.

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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.

23
 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 Readability Test 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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