

**Stricken language would be deleted from and underlined language would be added to the Arkansas  
Constitution.**

1 State of Arkansas *As Engrossed: H1/16/25*  
2 95th General Assembly  
3 Regular Session, 2025  
4  
5 Representatives A. Collins, *Springer*  
6  
7

H JR 1003

**HOUSE JOINT RESOLUTION**

9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION PROVIDING  
10 THAT GOVERNMENT TRANSPARENCY IS A RIGHT OF ARKANSAS  
11 CITIZENS; DEFINING "GOVERNMENT TRANSPARENCY" AS THE  
12 GOVERNMENT'S OBLIGATION TO SHARE INFORMATION WITH  
13 CITIZENS OR TO DELIVER INFORMATION TO CITIZENS;  
14 PROHIBITING THE GENERAL ASSEMBLY FROM MAKING A LAW  
15 CONCERNING GOVERNMENT TRANSPARENCY WITHOUT APPROVAL  
16 BY A VOTE OF THE PEOPLE, BUT ALLOWING A TWO-THIRDS  
17 MAJORITY OF THE GENERAL ASSEMBLY TO REFER SUCH A LAW  
18 TO THE PEOPLE TO BE APPROVED OR REJECTED AT THE NEXT  
19 GENERAL ELECTION; PERMITTING THE GENERAL ASSEMBLY, BY  
20 A NINE-TENTHS VOTE AND IN THE CASE OF AN EMERGENCY,  
21 TO MAKE A LAW CONCERNING GOVERNMENT TRANSPARENCY TAKE  
22 IMMEDIATE EFFECT UNTIL APPROVED OR REJECTED BY A VOTE  
23 OF THE PEOPLE AT THE NEXT GENERAL ELECTION;  
24 CLARIFYING THAT ANY ACT THE GENERAL ASSEMBLY REFERRED  
25 TO THE PEOPLE UNDER THIS AMENDMENT IS NOT A REFERRED  
26 CONSTITUTIONAL AMENDMENT UNDER ARTICLE 19, SECTION  
27 22, OF THE ARKANSAS CONSTITUTION; PROHIBITING THE  
28 GENERAL ASSEMBLY FROM AMENDING THIS AMENDMENT BY  
29 REFERRING AN AMENDMENT TO THE PEOPLE UNDER ARTICLE  
30 19, SECTION 22, OF THE ARKANSAS CONSTITUTION;  
31 CLARIFYING THAT THE PEOPLE OF ARKANSAS MAY EXERCISE  
32 THEIR AUTHORITY UNDER ARTICLE 5, SECTION 1, TO AMEND  
33 THIS AMENDMENT OR AN ARKANSAS STATUTE CONCERNING  
34 GOVERNMENT TRANSPARENCY; ABROGATING THE SOVEREIGN  
35 IMMUNITY OF THE STATE OF ARKANSAS IN LAWSUITS  
36 CONCERNING GOVERNMENT TRANSPARENCY AND ALLOWING



1 PLAINTIFFS TO RECOVER ATTORNEY'S FEES IN SUCH SUITS;  
2 CLARIFYING THAT THIS AMENDMENT DOES NOT ALTER THE  
3 CONSTITUTIONAL POWERS OF THE SUPREME COURT;  
4 CLARIFYING THAT THIS AMENDMENT DOES NOT ALTER THE  
5 CONSTITUTIONAL POWERS OF THE GENERAL ASSEMBLY TO  
6 DETERMINE THE RULES THAT AFFECT THE OPENNESS OF STATE  
7 LEGISLATIVE MEETINGS; DECLARING THAT ALL PROVISIONS  
8 OF THE ARKANSAS CONSTITUTION, ARKANSAS LAW, AND  
9 COMMON LAW OF THIS STATE ARE DECLARED NULL AND VOID  
10 TO THE EXTENT THEY ARE INCONSISTENT OR IN CONFLICT  
11 WITH ANY PROVISION OF THIS AMENDMENT; DECLARING THAT  
12 THIS AMENDMENT'S PROVISIONS ARE SEVERABLE; AND  
13 STATING THAT THIS AMENDMENT IS EFFECTIVE NOVEMBER 4,  
14 2026.

### 17 Subtitle

18 THE ARKANSAS GOVERNMENT DISCLOSURE  
19 AMENDMENT.

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21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL  
22 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL  
23 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:  
24

25 THAT the following is proposed as an amendment to the Constitution of  
26 the State of Arkansas, and upon being submitted to the electors of the state  
27 for approval or rejection at the next general election for Representatives  
28 and Senators, if a majority of the electors voting thereon at the election  
29 adopt the amendment, the amendment shall become a part of the Constitution of  
30 the State of Arkansas, to wit:  
31

32 SECTION 1. The Arkansas Constitution is amended to add an additional  
33 amendment to read as follows:

34 § 1. Title.

35 This amendment shall be known and may be cited as the "Arkansas  
36 Government Disclosure Amendment of 2026".

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2 § 2. Policy, duties, rights, and interpretation.

3 (a) It is vital in a democratic society that public business be  
4 performed in an open and public manner so that the electors of the state  
5 shall be advised of the performance of public officials and of the decisions  
6 that are reached in public activity and in making public policy.

7 (b) Government transparency is a right of the citizens of Arkansas.  
8

9 § 3. Definition.

10 As used in this amendment, "government transparency" means the  
11 government's obligation to:

12 (1) Share information with citizens; or

13 (2) Deliver information to citizens.  
14

15 § 4. Procedure for enacting laws that affect government transparency.

16 (a) The General Assembly shall not make a law concerning government  
17 transparency except as provided in this section.

18 (b) The General Assembly may propose a law concerning government  
19 transparency only by referring a bill adopted by a two-thirds (2/3) majority  
20 vote of both the House of Representatives and the Senate to the electors at  
21 the next general election for approval or rejection of the referred bill.

22 (c)(1) Except as provided in subdivision (c)(2) of this section, a  
23 referred bill concerning government transparency shall not become effective  
24 before its approval by the electors at the next general election.

25 (2)(A) If it shall be necessary for the preservation of the  
26 public peace, health, and safety that the referred bill become effective  
27 without delay, the General Assembly may declare an emergency by a vote of  
28 nine-tenths (9/10) of the House of Representatives and the Senate.

29 (B) If the emergency declaration under subdivision  
30 (c)(2)(A) of this section is adopted by the General Assembly:

31 (i) The referred bill shall become effective  
32 immediately; and

33 (ii) If the electors reject the referred bill at the  
34 next general election, the referred bill shall no longer be in effect.

35 (d) A referred bill under this section:

36 (1) Shall be published in the manner prescribed under Arkansas

1 Constitution, Article 19, § 22; and

2 (2) Is not a constitutional amendment under Arkansas  
3 Constitution, Article 19, § 22.

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5 § 5. Amendment not to be amended under Arkansas Constitution, Article  
6 19, § 22.

7 (a) The General Assembly shall not propose an amendment to this  
8 amendment to be submitted to the electors for approval or rejection under  
9 Arkansas Constitution, Article 19, § 22.

10 (b) The people of the State of Arkansas may amend this amendment or an  
11 Arkansas statute concerning government transparency as provided under  
12 Arkansas Constitution, Article 5, § 1, or this section.

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14 § 6. Immunity and attorney's fees.

15 (a) The State of Arkansas may be made a defendant in her courts for  
16 failure to comply with the requirements of Arkansas law concerning government  
17 transparency.

18 (b) Attorney's fees shall be available to a prevailing citizen in an  
19 action against the State of Arkansas for failure to comply with the  
20 requirements of Arkansas law concerning government transparency.

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22 § 7. Inconsistent provisions inapplicable.

23 (a) Except as provided in subsection (b) of this section, all  
24 provisions of the Arkansas Constitution, Arkansas law, and the common law of  
25 the State of Arkansas are expressly declared null and void to the extent they  
26 are inconsistent or otherwise in conflict with any provision of this  
27 amendment.

28 (b) This amendment shall not be construed to alter the constitutional  
29 powers of the:

30 (1) Supreme Court; or

31 (2) General Assembly to determine the rules that affect the  
32 openness of legislative meetings.

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34 § 8. Severability.

35 If any provision or section of this amendment or the application  
36 thereof to any person or circumstance is held invalid, that invalidity shall

1 not affect any other provision or application of the amendment that can be  
2 given effect without the invalid provision or application, and to this end  
3 the provisions of this amendment are declared to be severable.

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5 § 9. Effective date.

6 This amendment is effective on and after November 4, 2026.

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8 SECTION 2. BALLOT TITLE AND POPULAR NAME. When this proposed  
9 amendment is submitted to the electors of this state on the general election  
10 ballot:

11 (1) The title of this Joint Resolution shall be the ballot  
12 title; and

13 (2) The popular name shall be the "Arkansas Government  
14 Disclosure Amendment."

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16 */s/A. Collins*  
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