

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

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

H JR 1003

4
5 By: Representative A. Collins
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HOUSE JOINT RESOLUTION

8
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.

20
 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”.

1
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.

4
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.

13
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.

21
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.

33
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.

4
5 § 9. Effective date.

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

7
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."