

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4
5 By: Senator C. Tucker
6
7

A Bill

SENATE BILL 188

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING INITIATIVE
10 PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE PUBLIC
11 POSTING OF STATEWIDE INITIATIVE PETITIONS AND
12 REFERENDUM PETITIONS; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND ARKANSAS LAW CONCERNING
16 INITIATIVE PETITIONS AND REFERENDUM
17 PETITIONS; AND TO REQUIRE PUBLIC POSTING
18 OF STATEWIDE INITIATIVE PETITIONS AND
19 REFERENDUM PETITIONS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 7-9-107 is amended to read as follows:
25 7-9-107. Filing of original draft before circulation.

26 (a) Before any initiative petition or referendum petition ordering a
27 vote upon any amendment or act shall be circulated for obtaining signatures
28 of petitioners, the sponsors shall submit the original draft with the
29 Attorney General.

30 (b) The original draft shall include:

- 31 (1) The full text of the proposed measure;
- 32 (2) A ballot title for the proposed measure; and
- 33 (3) A popular name for the proposed measure.

34 (c) The Attorney General shall return to the sponsor a file-marked
35 copy of the original draft that shall serve as evidence that the original
36 draft was filed in compliance with this section.



1 (d)(1) Within ten (10) business days, the Attorney General shall
 2 approve and certify or shall substitute and certify a more suitable and
 3 correct ballot title and popular name for each amendment or act.

4 (2) The ballot title so submitted or supplied by the Attorney
 5 General shall briefly and concisely state the purpose of the proposed
 6 measure.

7 (e)(1) Within ten (10) days of the approval of a ballot title and
 8 popular name under subsection (d) of this section, the Attorney General shall
 9 provide the following information to the Secretary of State:

10 (A) The full text of the proposed measure;

11 (B) The certified ballot title for the proposed measure;

12 and

13 (C) The certified popular name for the proposed measure.

14 (2)(A) The Secretary of State shall post the information
 15 provided under subdivision (e)(1) of this section on the Secretary of State's
 16 website within five (5) days of receiving the information from the Attorney
 17 General.

18 (B) Except as provided in subdivision (e)(2)(C) of this
 19 section, the information provided under subdivision (e)(1) of this section
 20 shall remain on the Secretary of State's website until the day following the
 21 next general election.

22 (C) If the proposed measure fails to qualify for the
 23 ballot or is otherwise removed from the ballot, the Secretary of State may
 24 remove the information provided under subdivision (e)(1) of this section from
 25 the Secretary of State's website.

26 ~~(e)(f)~~ If, as a result of his or her review of the ballot title and
 27 popular name of a proposed initiated act or a proposed amendment to the
 28 Arkansas Constitution, the Attorney General determines that the ballot title
 29 or the nature of the issue, is presented in such manner that the ballot title
 30 would be misleading or designed in such manner that a vote "FOR" the issue
 31 would be a vote against the matter or viewpoint that the voter believes
 32 himself or herself casting a vote for, or, conversely, that a vote "AGAINST"
 33 the issue would be a vote for a viewpoint that the voter is against, the
 34 Attorney General may reject the entire ballot title, popular name, and
 35 petition and state his or her reasons therefor and instruct the petitioners
 36 to redesign the proposed measure and the ballot title and popular name in a

1 manner that would not be misleading.

2 ~~(f)~~(g) If the Attorney General refuses to act or if the sponsors feel
3 aggrieved at the Attorney General's acts in such premises, the sponsors may,
4 by petition, apply to the Supreme Court for proper relief.

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