

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S4/1/25

A Bill

SENATE BILL 434

5 By: Senator J. Dotson
6 By: Representative Gazaway
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE "PROTECT OUR CONSTITUTION ACT";
10 CONCERNING THE PERCENTAGE OF VOTES REQUIRED FOR
11 APPROVAL OF A CONSTITUTIONAL AMENDMENT REFERRED TO
12 VOTERS UNDER ARKANSAS CONSTITUTION, ARTICLE 5, § 1;
13 AMENDING ARKANSAS CONSTITUTION, ARTICLE 5, § 1, AS
14 AUTHORIZED BY THAT PROVISION OF THE ARKANSAS
15 CONSTITUTION; TO DECLARE AN EMERGENCY; AND FOR OTHER
16 PURPOSES.

Subtitle

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18
19 TO CREATE THE "PROTECT OUR CONSTITUTION
20 ACT"; TO AMEND A PORTION OF THE ARKANSAS
21 CONSTITUTION AS AUTHORIZED BY ARKANSAS
22 CONSTITUTION, ARTICLE 5, § 1; AND TO
23 DECLARE AN EMERGENCY.
24
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. TITLE. This act shall be known and may be cited as the
29 "Protect Our Constitution Act".
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31 SECTION 2. Pursuant to the authority granted by Arkansas Constitution,
32 Article 5, § 1, the subsection of Arkansas Constitution, Article 5, § 1,
33 titled "Majority" is amended to read as follows:

34 Majority. (a)(1) ~~Any~~ Except as provided in subdivision (a)(2) of this
35 section, any measure submitted to the people as herein provided shall take
36 effect and become a law when approved by a majority of the votes cast upon



1 such measure, and not otherwise, and shall not be required to receive a
2 majority of the electors voting at such election.

3 (2) A constitutional amendment submitted to the people as herein
4 provided shall take effect and become a law when approved by at least two-
5 thirds (2/3) of the votes cast upon such measure.

6 (b) Such measures After a measure has been approved by a vote of the
7 people, the measure shall be operative on and after the thirtieth day after
8 the election at which it is approved, unless otherwise specified in the ~~Act~~
9 measure.

10 (c) This section shall not be construed to deprive any member of the
11 General Assembly of the right to introduce any measure, but no measure shall
12 be submitted to the people by the General Assembly, except a proposed
13 constitutional amendment or amendments as provided for in this Constitution.
14

15 SECTION 3. Pursuant to the authority granted by Arkansas Constitution,
16 Article 5, § 1, the subsection of Arkansas Constitution, Article 5, § 1,
17 titled "Conflicting Measures", is amended to read as follows:

18 Conflicting Measures. If conflicting measures initiated or referred to
19 the people shall be approved ~~by a majority of the votes severally cast for~~
20 ~~and against the same~~ as herein provided at the same election, the one
21 receiving the highest number of affirmative votes shall become law.
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23 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly of the State of Arkansas that amendments to the Arkansas
25 Constitution impact the public peace, health, and safety of each citizen of
26 this state; that to protect the public peace, health, and safety of the
27 citizens of this state, it is necessary to increase the threshold for passage
28 of a constitutional amendment proposed under Arkansas Constitution, Article
29 5, § 1, to ensure that constitutional amendments are supported by an
30 appropriate number of voters to justify an amendment to the Arkansas
31 Constitution; and that this act should become effective at the earliest
32 opportunity to ensure that its provisions are in place for the 2026 general
33 election. Therefore, an emergency is declared to exist, and this act being
34 immediately necessary for the preservation of the public peace, health, and
35 safety shall become effective on:

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

