

**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  
4  
5 By: Senator C. Tucker  
6  
7

SJR 12

**SENATE JOINT RESOLUTION**

9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION REQUIRING  
10 THE GENERAL ASSEMBLY TO ESTABLISH BY LAW A REVISED  
11 ELECTION PROCESS; REQUIRING THE GENERAL ASSEMBLY TO  
12 ESTABLISH BY LAW AN ELECTION PROCESS IN WHICH  
13 CANDIDATES AT A PRIMARY ELECTION, SPECIAL PRIMARY  
14 ELECTION, OR ELECTION FOR NONPARTISAN OFFICE APPEAR  
15 ON A SINGLE BALLOT REGARDLESS OF POLITICAL PARTY  
16 AFFILIATION AND THE TOP TWO CANDIDATES FOR EACH  
17 OFFICE ADVANCE TO THE GENERAL ELECTION OR SPECIAL  
18 ELECTION; AND REQUIRING THE GENERAL ASSEMBLY TO  
19 ESTABLISH BY LAW A PROCESS BASED ON PARTY AFFILIATION  
20 FOR SELECTING DELEGATES TO ATTEND A QUADRENNIAL  
21 NATIONAL NOMINATING CONVENTION OF A POLITICAL PARTY  
22 TO SELECT A NOMINEE FOR THE OFFICE OF PRESIDENT OF  
23 THE UNITED STATES AND A PROCESS FOR CHOOSING AND  
24 ELECTING ELECTORS FOR PRESIDENT OF THE UNITED STATES  
25 AND VICE PRESIDENT OF THE UNITED STATES.  
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27

**Subtitle**

28  
29 AN AMENDMENT TO THE ARKANSAS  
30 CONSTITUTION REQUIRING THE GENERAL  
31 ASSEMBLY TO ESTABLISH BY LAW A REVISED  
32 ELECTION PROCESS.  
33

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



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2        THAT the following is proposed as an amendment to the Constitution of  
3 the State of Arkansas, and upon being submitted to the electors of the state  
4 for approval or rejection at the next general election for Representatives  
5 and Senators, if a majority of the electors voting thereon at the election  
6 adopt the amendment, the amendment shall become a part of the Constitution of  
7 the State of Arkansas, to wit:

8  
9        SECTION 1. The Arkansas Constitution is amended to add an additional  
10 amendment to read as follows:

11        § 1. Election process for general elections, special elections, and  
12 elections for nonpartisan office.

13        (a) The General Assembly shall enact laws establishing an election  
14 process for general elections, special elections, and elections for  
15 nonpartisan office in which:

16        (1)(A) The names of all persons who have filed as candidates for  
17 a primary election, special primary election, or election for nonpartisan  
18 office shall be listed on a single ballot, regardless of political party.

19        (B) The political party affiliation, if any, of each  
20 candidate shall appear on the ballot beside the name of each candidate at an  
21 election for partisan office.

22        (C)(i) A candidate who is unaffiliated with a political  
23 party shall appear on the primary election ballot or special primary election  
24 ballot.

25        (ii) The word "Independent" shall appear on the  
26 ballot beside the name of an unaffiliated candidate;

27        (2)(A) The two (2) candidates receiving the greatest number of  
28 votes cast for each office at the primary election, special primary election,  
29 or election for nonpartisan office shall advance to the general election or  
30 special election, regardless of each candidate's political party affiliation,  
31 if any.

32        (B) If only one (1) or two (2) persons file as candidates  
33 for an office at a primary election, special primary election, or election  
34 for nonpartisan office, the candidate or candidates shall automatically  
35 advance to the general election or special election.

36        (C) The General Assembly may provide by law that if one

1 (1) candidate receives a specified percentage of the vote for an office at a  
 2 special primary election, only that one (1) candidate shall advance to the  
 3 special election; and

4 (3)(A) The candidate receiving the greatest number of votes for  
 5 the office at the general election or special election shall be declared the  
 6 winner of the general election or special election.

7 (B)(i) If only one (1) candidate for an office will be  
 8 listed on the general election ballot or special election ballot, the  
 9 candidate shall be declared elected, his or her name shall not appear on the  
 10 general election or special election ballot, and the name of the candidate  
 11 declared elected shall be certified as elected in the same manner as if the  
 12 candidate had been voted upon at the general election or special election.

13 (ii) If subdivision (a)(3)(B)(i) of this section  
 14 applies, the general election or special election shall not be held if no  
 15 other office or issue is on the general election ballot or special election  
 16 ballot.

17 (b)(1) The election process under subsection (a) of this section shall  
 18 apply to all elections for:

19 (A) Federal congressional office;

20 (B) State office;

21 (C) County office; and

22 (D) Nonpartisan office, including without limitation:

23 (i) A judicial office; and

24 (ii) The office of prosecuting attorney.

25 (2) The election process under subsection (a) of this section  
 26 does not apply to elections for:

27 (A) Municipal office; and

28 (B) Local office.

29 (c)(1) The election process under subsection (a) of this section shall  
 30 not apply to primary elections and general elections for President of the  
 31 United States.

32 (2)(A) The General Assembly shall provide by law for a  
 33 presidential primary election to select delegates to attend a quadrennial  
 34 national nominating convention of a political party to select nominees for  
 35 President of the United States and Vice President of the United States.

36 (B) Voting at the presidential primary election shall be

1 based on party affiliation.

2 (3)(A) The General Assembly shall provide by law for a process  
3 to choose and elect electors for President of the United States and Vice  
4 President of the United States.

5 (B) The choice and election of electors for President of  
6 the United States and Vice President of the United States may appear on the  
7 general election ballot.

8 (d) The General Assembly shall enact all laws necessary to implement  
9 this amendment, including without limitation laws concerning:

10 (1) The process for filing as a candidate for a primary  
11 election, special primary election, and election for nonpartisan office,  
12 including without limitation the process for filing as an unaffiliated  
13 candidate;

14 (2) Procedures for conducting primary elections, general  
15 elections, elections for nonpartisan office, and special elections, including  
16 without limitation a process for:

17 (A) Resolving tie votes; and

18 (B) Determining when and if candidate vacancies may be  
19 filled at primary elections, general elections, elections for nonpartisan  
20 office, and special elections;

21 (3) When primary elections, general elections, elections for  
22 nonpartisan office, and special elections shall occur;

23 (4) The process for filing as a candidate at a presidential  
24 primary election;

25 (5) The date a presidential primary election shall occur;

26 (6) Procedures for conducting a presidential primary election;

27 (7) The process for electors for President of the United States  
28 and Vice President of the United States to file for inclusion on the ballot;

29 (8) When the choice and election of electors for President of  
30 the United States and Vice President of the United States shall occur;

31 (9) Procedures for conducting an election to choose and elect  
32 electors for President of the United States and Vice President of the United  
33 States;

34 (10) The process for filing as a write-in candidate; and

35 (11) Other matters deemed necessary by the General Assembly for  
36 the implementation of this amendment.

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2 SECTION 2. Arkansas Constitution, Article 3, § 13, is repealed.

3 ~~§ 13. Procedures for elections with one candidate.~~

4 ~~(a) As used in this section, "election" means:~~

5 ~~(1) A primary election;~~

6 ~~(2) A special primary election;~~

7 ~~(3) A general election; and~~

8 ~~(4) A special election.~~

9 ~~(b) The General Assembly may enact laws providing that if there is~~  
10 ~~only one (1) person qualified as a candidate for an office after all~~  
11 ~~deadlines for filing as a candidate have passed so that there will be only~~  
12 ~~one (1) name listed on the election ballot for the office and no write-in~~  
13 ~~candidates qualify to appear as candidates for the office on the election~~  
14 ~~ballot:~~

15 ~~(1) The one (1) candidate for the office shall be declared~~  
16 ~~elected and his or her name shall not appear on the election ballot;~~

17 ~~(2) The name of the candidate declared elected shall be~~  
18 ~~certified as elected in the same manner as if the candidate had been voted~~  
19 ~~upon at the election; and~~

20 ~~(3) The election shall not be held if no other office or issue~~  
21 ~~is on the election ballot.~~

22  
23 SECTION 3. Arkansas Constitution, Amendment 29, Section 5, is amended  
24 to read as follows:

25 § 5. Election to fill – Placing names on ballots.

26 Only the names of candidates for office nominated ~~by an organized~~  
27 ~~political party at a convention of delegates, or by a majority of all the~~  
28 ~~votes cast for candidates for the office in a primary election, or by~~  
29 ~~petition of electors~~ as provided by law, shall be placed on the ballots in  
30 any election.

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32 SECTION 4. EFFECTIVE DATE. This amendment is effective on and after  
33 January 1, 2027, and shall be applicable to elections occurring on and after  
34 January 1, 2028.

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36 SECTION 5. BALLOT TITLE AND POPULAR NAME. When this proposed

1 amendment is submitted to the electors of this state on the general election  
2 ballot:

3 (1) The title of this joint resolution shall be the ballot  
4 title; and

5 (2) The popular name shall be "A Constitutional Amendment  
6 Requiring the General Assembly to Establish by Law a Revised Election  
7 Process; Requiring the General Assembly to Establish by Law an Election  
8 Process in which Candidates at a Primary Election, Special Primary Election,  
9 or Election for Nonpartisan Office Appear on a Single Ballot Regardless of  
10 Political Party Affiliation and the Top Two Candidates Advance to the General  
11 Election or Special Election; and Requiring the General Assembly to Establish  
12 by Law a Process Based on Party Affiliation for Selecting Delegates to Attend  
13 a Quadrennial National Nominating Convention of a Political Party to Select a  
14 Nominee for the Office of President of the United States and a Process for  
15 Choosing and Electing Electors for President of the United States and Vice  
16 President of the United States."

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