



April 18, 2017

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Voter ID, "Tort Reform" Amendments on 2018 Ballot Legislators Reject Third Proposal and Gas Tax Vote

Arkansas voters will decide in November 2018 whether showing photo identification should be an official requirement of voting and whether to establish dollar limits for financial damages in certain types of lawsuits.

Legislators went home this month after referring the two constitutional amendments to voters.

Arkansas' constitution limits legislators to putting three constitutional amendments on the ballot, but they rejected a proposal that sought to change the ballot issue process. Additional highway funding bills that would have required voter approval were also rejected before the unofficial end of the session.

Legislators in the House and Senate agreed to put on the ballot:

- **SJR8**, an amendment that would establish a dollar limit for financial damages awarded in certain types of lawsuits, shift authority from the state supreme court to the legislature in setting court rules and procedures, and limit how much attorneys are paid in medical injury lawsuits. Supporters of these types of laws often use the phrase "tort reform" when talking about them.
- **HJR1016**, an amendment that would require citizens present photo identification when voting and the state to provide photo identification to eligible voters free of charge.

The deadline for citizen-led proposals is not until next summer. We'll keep you updated on any changes over the next year.

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The [Public Policy Center](#) has published nonpartisan fact sheets on Arkansas' statewide ballot issues since 2004. We welcome your questions at publicpolicycenter@uaex.edu. Follow us on [Facebook](#) and [Twitter](#).

Did you know?

Eighteen measures have been certified to appear on statewide ballots across the United States in 2018. Twelve of these measures have come from state legislatures and include the legalization of medical marijuana, regulations on energy markets, and decisions on how tax revenues can be used.

Source: [Ballotpedia](#)

Legislative Ballot Issues



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Legislators are able to refer up to three constitutional amendments to the voters every general election. These two proposals will be the Nov. 6, 2018 ballot.

SJR8 - A constitutional amendment limiting contingency fees and awards of punitive and non-economic damages; and changing the powers of the General Assembly and the Supreme Court regarding rules of pleading, practice, and procedure.

Read [SJR8](#)

Sponsor: [Sen. Missy Irvin](#)

HJR1016 - A constitutional amendment adding as a qualification to vote that a voter present certain valid photographic identification when casting a ballot in person or casting an absentee ballot.

Looking Forward - Potential 2018 Ballot Issues from Citizens

Attorney General Opinions

The Attorney General is responsible for reviewing the language and titles of potential ballot issues submitted to voters by the public. Ballot issue groups can circulate petitions only after the Attorney General verifies that the ballot title and popular name honestly, intelligibly and fairly describe the purpose of a proposed constitutional amendment or act. The following are recent Attorney General opinions regarding potential ballot issues:

Ballot proposals rejected

April 17, 2017 - An Amendment to the Arkansas Constitution Legalizing Gambling to the Fairplay Holdings Ballot Question Committee Member(s) with the Sale, Service, and Complimentary Service of Alcoholic Beverages as a Municipal, and or County, Ballot Measure - A proposal to allow a company to initiate a local election to allow a casino was rejected in part because of the length of the popular name and ballot title, according to [Opinion No. 2017-042](#).

This is the seventh time this proposal has been rejected. See [Opinion No. 2017-029](#) (March 20, 2017), [Opinion No. 2017-016](#) (Feb. 24, 2017), [Opinion No. 2017-001](#) (Jan. 19, 2017), [Opinion No. 2016-133](#) (Dec. 27, 2016), [Opinion No. 2016-109](#) (Nov. 7, 2016) and [Opinion No. 2016-099](#) (Oct. 10, 2016). Barry Emigh of Hot Springs submitted the measure.

April 7, 2017 - The Arkansas Recreational Marijuana Amendment of 2018 - A proposal seeking to legalize the cultivation, production, distribution, sale, possession, and use of recreational marijuana, and which would release from incarceration people who were convicted of violating laws related to marijuana was rejected. [Opinion No. 2017-040](#) cited several sections where the intentions of the ballot language were unclear. Mary L. Berry of Summit submitted the proposal

March 20, 2017 - Arkansas Cannabis Hemp and Recreational Marijuana Amendment of 2018 - A proposal seeking to legalize the cultivation, production, distribution, sale, possession, and use of recreational marijuana and cannabis hemp was rejected because of ambiguities in the text, according to [Opinion No. 2017-030](#).

This is the second time this proposal has been rejected. See [Opinion No. 2017-021](#) (March 3, 2017). Mary L. Berry of Summit submitted the proposal.

Ballot proposals approved for signature gathering

Oct. 28, 2016 - Arkansas Term Limits Amendment - A proposal to reduce the number of years a state senator or representative can serve in office was certified for signature gathering, according to [Opinion No. 2016-105](#). The proposal would repeal Amendment 94, which voters passed in 2014 and extended term limits to 16 years for members of the General Assembly. Thomas Steele of Little Rock submitted the October measure.

Know of a potential ballot issue?

E-mail the information to publicpolicycenter@uaex.edu or call Kristin Higgins at 501-671-2160.

You can find past newsletters and ballot issue fact sheets at

<http://www.uaex.edu/ballot>



#ARballot

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- increase citizen knowledge, awareness and understanding of public issues;
- enhance public participation in decisions regarding public issues and
- help citizens craft, evaluate and implement alternative solutions to public issues.

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