



NEWS & NOTES

Arkansas Ballot Issues



November 2019

Proposals, Funding Adding Up

As this month comes to a close, citizen initiative groups have filed nine proposed constitutional amendments with the Arkansas Secretary of State's Office, allowing them to collect signatures to put their proposals on the November 2020 ballot.

A series of amendments were filed in the past few days by Roderick Greer Talley, a Little Rock man who is seeking the office held by the late Rep. John Walker in the 2020 election. Talley, who ran unsuccessfully earlier this year for a different state representative position, has received a lot of media attention for his 2017 lawsuit over the City of Little Rock Police Department's no-knock search warrant tactics.

Talley's proposals are the first measures to be filed since August. The four proposals can be found in the section below about what measures are circulating.

The most recent financial reports issued by the Arkansas Ethics Commission reveal that more than \$300,000 has been raised by various groups supporting different measures, and over \$1 million has been raised by groups involved in an attempted referendum on Act 579. That law amended existing state laws regarding the scope of practice for optometrists. The potential referendum is at the center of a lawsuit still under review by the [Arkansas Supreme Court](#).

At this time in 2017, only one ballot issue proposal had been accepted by the Attorney General's Office under the previous election law that required AG approval before signature collecting. In November 2015, 11 issues had been approved and in November 2013, six issues had been approved for signature collecting.

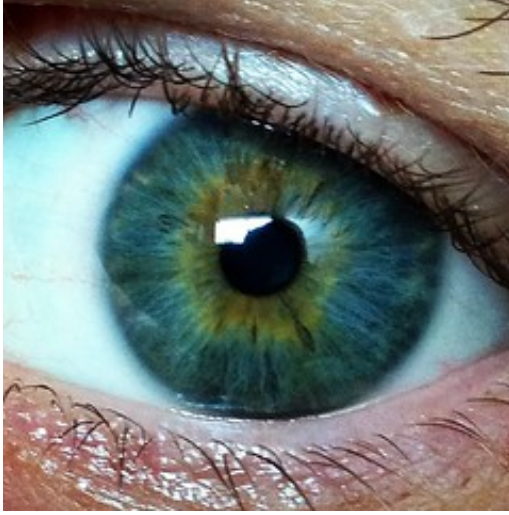
All nine of the proposals filed with the Secretary of State's Office this year are proposed constitutional amendments. To qualify for the ballot, a proposed constitutional amendment requires signatures from at least 84,000 voters. Those signatures must come from voters in at least 15 counties. The groups must submit their signatures for verification by July 3.

In the Courts: Act 579 Referendum

Read for Yourself

Act 579 amended three existing state laws regarding the scope of practice for optometrists. Supporters of a referendum collected voter signatures to put the issue on the ballot.

The effort was rejected by the Secretary of State's Office due to canvasser paperwork not being filed in time as required under a new law, Act 376 of 2019. A lawsuit is now pending before the Arkansas Supreme Court.



[Read the new law](#)

[Read the proposed referendum title](#)

[Follow the court case online](#)

Signature Collecting: What's Circulating? Ballot Proposals from the Public



Arkansas is one of 15 states where citizens have the right to put a constitutional amendment or a state law on the ballot for voters to decide.

The initiative process includes filing a ballot title with the Secretary of State's office, collecting thousands of signatures from around the state, and submitting the signatures for verification.

New this year is a requirement for the Arkansas Election Commission to certify the ballot title.

Submitted to the Secretary of State

Act 376 of 2019 requires ballot issue groups to submit a copy of their ballot title with the [Arkansas Secretary of State](#) before collecting signatures.

Ballot titles that have been filed include:

March 14, 2019 - [Arkansas Term Limits Amendment](#) - A proposal to lower the number of years state legislators can serve in office was submitted by a group known as Arkansas Term Limits BQC.

July 19, 2019 - [Arkansas Adult Use Cannabis Amendment](#) - A proposal to legalize adult use of marijuana was submitted by Melissa Fults.

July 19, 2019 - [Arkansas Marijuana Expungement Amendment](#) - A proposal to allow certain marijuana convictions to be expunged was submitted by Melissa Fults.

July 22, 2019 - [The Arkansas Recreational Marijuana Amendment of 2020](#) - A proposal to legalize adult marijuana use and to allow certain marijuana convictions to be expunged was submitted by William Barger.

Aug. 29, 2019 - [The Coin Operated Amusement Machine Amendment to Article 19, Section 14 of the Arkansas Constitution](#) - A proposal to amend the state's lottery amendment to allow coin operated machines was submitted by a group called [Arcade Arkansas](#).

Nov. 20, 2019 - [The Arkansas Felon Voting Restoration Amendment of 2020](#) - A proposal to restore voting rights of all felons who are not incarcerated. The proposal would exclude people convicted of a felony sexual offense or murder, who could regain their voting rights after they prove they've completed all time sentenced and paid all associated fines, fees and restitution. Roderick Greer Talley of Little Rock submitted the proposal.

Nov. 25, 2019 - [The Arkansas Recall and Removal of Governor and All Elected State Officers,](#)

Members of the General Assembly, Judges of the Supreme and Circuit Courts, Chancellors and Prosecuting Attorneys Amendment - A proposal to provide a method for recalling all statewide elected officials was submitted by Roderick Greer Talley of Little Rock.

Nov. 25, 2019 - Amendment to Prohibit Levying a State Sales Tax and Tax on Personal Income and Impose a Fixed County and Municipal Tax - A proposal for the General Assembly to enact laws prohibiting any tax on incomes and to impose a limit on county and city sales tax rates was submitted by Roderick Greer Talley of Little Rock.

Nov. 25, 2019 - The Arkansas Abolishment of Slavery and Involuntary Servitude as Punishment for a Crime Amendment - A proposal to eliminate a section of the state's existing Constitution that specifically allows slavery and involuntary servitude as punishment for crime was submitted by Roderick Greer Talley of Little Rock.

Approved by the Attorney General

Before the passage of Act 376, the Arkansas Attorney General was required to certify ballot titles before groups could collect signatures. The Attorney General certified the ballot title of one proposed amendment for the 2020 election before the new law was introduced. It's not known how Act 376 affects that certification.

Oct. 26, 2018 - An Amendment to Establish the Arkansas Citizens' Redistricting Commission- A proposal seeking to change how Arkansas' congressional and state legislative districts are established was approved with a cautionary note that the proposal's subject matter was complex and far reaching, according to **Opinion No. 2018-135**. This complexity could lead to a ballot title challenge, the opinion stated. David Couch of Little Rock submitted the measure.

On the 2020 Ballot: Constitutional Amendments from the Legislature



Arkansas senators and representatives put three constitutional amendments on the 2020 ballot for voters to decide.

Issue numbers haven't been assigned yet. We list them below in order of their approval.

We will publish our neutral voter guide on these proposed amendments along with any from the citizen-initiated process closer to Election Day 2020.

Check out our [website](#) for more information.

Continuing Sales Tax for Road Construction (HJR1018)

An Amendment to the Arkansas Constitution Continuing a One-Half Percent (0.5%) Sales and Use Tax for State Highways and Bridges; County Roads, Bridges and Other Surface Transportation; and City Streets, Bridges, and Other Surface Transportation After the Retirement of the Bonds Authorized in Arkansas Constitution, Amendment 91.

[Read the full text of the proposal](#)

Changing Legislative Term Limits (SJR15)

A Constitutional Amendment to Amend the Term Limits Applicable to Members of the General Assembly, to be Known as the "Arkansas Term Limits Amendment"

[Read the full text of the proposal](#)

Changing the Citizen-Initiated and Legislative Ballot Issue Process (HJR1008)

A Constitutional Amendment To Amend The Process For The Submission, Challenge, And Approval Of Proposed Initiated Acts, Constitutional Amendments, And Referenda

[Read the full text of the proposal](#)

Have You Heard Us On KUAR?



The Public Policy Center has joined with the Community, Professional and Economic Development unit staff at the Arkansas Cooperative Extension Service to share educational information with Arkansans on public radio through KUAR at UA Little Rock.

One of our first Strengthening Our Communities segments to air in October featured the citizen ballot initiative process in Arkansas.

[Read/Listen To Our Segment](#) describing how Arkansas is 1 of 15 states where citizens have the right to propose new state laws and constitutional amendments for voters to decide statewide.

[Find Our Other Strengthening Our Communities Segments](#)

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#ARballot

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Our goals are to:

- 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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