



March 2021

Amendments for 2022 Ballot Under Discussion Eliminating Personal Property Tax, Court Rules Vetted

Discussion started this week on 43 proposals filed at the state legislature for the 2022 ballot.

Members of the State Agencies and Governmental Affairs Committee in the House reviewed seven of the 25 proposals before them. Under session rules, the House can refer one constitutional amendment to voters. The Senate can also refer one, and then the two chambers can jointly refer a third proposal.

TIMELINE

Committee members in the House have listened to sponsors present their ideas, but they did not vote. The Senate's committee is expected to start meeting soon as well to narrow down their 18 proposals.

Presentations, along with an opportunity for public comment, are expected to continue Monday but probably not much longer than that, said Rep. Dwight Tosh, who chairs the House committee.

He told members Wednesday legislative staff has attempted to contact other sponsors but haven't heard back from many of them. But by today, the [March 15 agenda](#) now includes the remaining 11 proposals.

PERSONAL PROPERTY TAX

One committee member on Wednesday said he favored [HJR1004](#), a proposal to eliminate the personal property tax in Arkansas by 2047, as one of his top three issues.

Sponsor [Rep. Stephen Meeks](#) said personal property taxes are one of the most disruptive taxes to collect and they have had a negative impact on businesses wanting to locate in Arkansas because counties apply the tax to their equipment and inventory.

Cars, trucks, boats, recreational vehicles and mobile homes are also taxed as personal property. The tax helps fund public schools as well as county and city government operations. Meeks said the legislature would have to make up the taxes lost to schools and that the time to phase out the taxes would give local governments several years to account for the losses in their budgets. Those details would have to be discussed later, Meeks said.

COURT RULES

Only one proposal attracted public comment during the two days of discussion. [HJR1015](#) would allow the legislature to override court rules, practices and procedures set by the Arkansas Supreme Court. Legislators would also have the ability to set them through legislation passed by a three-fifths vote.

Rep. Jim Dotson said the amendment would provide checks and balances between the two branches of government.

This proposal may sound familiar - it's one part of a 2018 ballot issue the Arkansas Supreme Court struck from the ballot. Justices said [Issue 1 of 2018](#) had too many unrelated parts and violated a single-subject rule legislators must follow.

A law school professor and the president of the Arkansas Bar Association spoke against the bill. Members also received a letter from the Arkansas Family Council opposing the measure. Testimony centered around some of the same reasons people opposed Issue 1 - a concern about separation of powers between legislators and the court system.

Other Bills Discussed in the House Committee This Week

Wednesday

[HJR1002](#) - A Constitutional Amendment To Provide that an Annual Ad Valorem Tax for the Maintenance and Operation of Schools and the Retirement of Indebtedness Shall Not Appear on the Annual School Election Ballot if the Proposed Rate of Tax is the Same as the Rate of Tax Approved at the Last Annual School Election at Which a Rate of Tax Levy Appeared on the Ballot

[HJR1003](#) - A Constitutional Amendment Providing for the Maintenance and Operation of Libraries, Capital Improvements to Libraries, and the Construction of Libraries

Monday

[HJR1001](#) - A Constitutional Amendment to Allow the General Assembly to Convene Itself in Extraordinary Session Upon the Joint Proclamation of the Speaker of the House of Representatives and the President Pro Tempore of the Senate

[HJR1006](#) - A Constitutional Amendment to Create a Procedure for the Recall of Persons Elected to the Offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Auditor of State, Commissioner of State Lands, Chief Justice of the Supreme Court, Justice of the Supreme Court, Chief Judge of the Court of Appeals, Judge of the Court of Appeals, Circuit Judge, or District Judge

[HJR1009](#) - A Constitutional Amendment Concerning the State Highway Commission and Amending the Name, Membership, Powers, and Duties of the State Highway Commission

[Find the full list of the proposals and topics at our blog](#)

Arkansas' 1874 Constitution currently has 102 amendments, the latest which were approved by voters in November 2020 changing the state's term limit laws and approving a permanent 0.5% sales tax for roadwork and maintenance across the state.

Watch House Discussions

2022 Citizen Initiative Proposals



Arkansas is one of [15 states](#) where citizens have the right to put constitutional amendments, state laws and referendums on the ballot for voters to decide.

The citizen initiative process involves filing a ballot title with the Secretary of State's Office, collecting voter signatures across the state and submitting the petitions for verification. The Board of Election Commissioners also must approve the ballot title.

Referendums require voter signatures equaling 6% of the number of people who voted in the last governor's election. State laws require 8%, and constitutional amendments require 10%.

Submitted to the Secretary of State

Act 376 of 2019 requires ballot issue groups to submit a copy of their ballot title to the Secretary of State's Office before collecting voter signatures.

Ballot titles that have been filed for the 2022 ballot include:

Feb. 4, 2021 - [The Arkansas Township Amendment of 2022](#) - A proposal that would create another layer of local government - township assemblies - among other things was submitted by Academy of Democracy.

Jan. 5, 2021 - [An Amendment Concerning Jurors' Rights](#) - A proposal that would impact the legislature's ability to pass laws regarding jury awards in lawsuits over injury or death was submitted. The person who submitted the proposal did not provide their contact information to the Secretary of State's Office.

May 22, 2020 - [The Arkansas Recreational Marijuana Amendment of 2022](#) - A proposal to legalize adult

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- Help citizens craft, evaluate and implement alternative solutions to public issues.

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