

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 1. "HOLFORD" BONDS (CONST., ART. 20 ADDED).

AMEND. 2. REGULATION OF CARRIERS (CONST., ART. 17, § 10 AMENDED).

AMEND. 3. COUNTY ROAD TAX [REPEALED.]

AMEND. 4. SURETIES ON OFFICIAL BONDS (CONST., ART. 19, § 21 AMENDED).

AMEND. 5. PER DIEM AND MILEAGE OF GENERAL ASSEMBLY (CONST., ART. 5, § 16 AMENDED).

AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST., ART. 6, § 1, AMENDED AND SECTIONS ADDED).

AMEND. 7. INITIATIVE AND REFERENDUM (CONST., ART. 5, § 1, AMENDED).

AMEND. 8. QUALIFICATIONS OF ELECTORS (CONST., ART. 3, § 1, AMENDED).

AMEND. 9. SUPREME COURT.

AMEND. 10. LIMITATION ON LEGISLATIVE AND TAXING POWER (CONST., ART. 12, § 4, AMENDED).

AMEND. 11. SCHOOL TAX (CONST., ART. 14, § 3, AMENDED).

AMEND. 12. TEXTILE MILLS, TAX EXEMPTION.

AMEND. 13. [REPEALED.]

AMEND. 14. LOCAL ACTS.

AMEND. 15. SALARIES OF STATE OFFICERS.

AMEND. 16. JURY TRIAL (CONST., ART. 2, § 7, AMENDED).

AMEND. 17. [REPEALED.]

AMEND. 18. TAX TO AID INDUSTRIES.

AMEND. 19. PASSAGE OF LAWS (CONST., ART. 5, §§ [37]-[41] ADDED).

AMEND. 20. STATE BONDS.

AMEND. 21. CRIMINAL PROSECUTIONS - SALARIES OF PROSECUTORS.

AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN STATE TAXES.

AMEND. 23. APPORTIONMENT (CONST., ART. 8 AMENDED).

AMEND. 24. PROBATE COURTS - CIRCUIT AND COUNTY CLERKS (CONST., ART. 7, §§ 19, 34, 35, AMENDED).

AMEND. 25. [REPEALED.]

AMEND. 26. WORKERS' COMPENSATION (CONST., ART. 5, § 32, AMENDED).

AMEND. 27. EXEMPTING NEW MANUFACTURING ESTABLISHMENT FROM TAXATION.

AMEND. 28. REGULATING PRACTICE OF LAW.

AMEND. 29. FILLING VACANCIES IN OFFICE.

AMEND. 30. CITY LIBRARIES

AMEND. 31. POLICE AND FIREFIGHTERS' RETIREMENT SALARIES AND PENSIONS.

AMEND. 32. COUNTY OR CITY HOSPITALS.

AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE INSTITUTIONS.

AMEND. 34. RIGHTS OF LABOR.

AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE GAME AND FISH

COMMISSION

AMEND. 36. POLL TAX EXEMPTION.

AMEND. 37. [REPEALED.]

AMEND. 38. COUNTY LIBRARIES

AMEND. 39. VOTER REGISTRATION LAWS.

AMEND. 40. SCHOOL DISTRICT TAX (CONST., ART. 14, § 3, AS AMENDED BY
CONST. AMEND. 11, AMENDED).

AMEND. 41. ELECTION OF COUNTY CLERKS.

AMEND. 42. STATE HIGHWAY COMMISSION.

AMEND. 43. SALARIES AND EXPENSES OF JUDICIAL OFFICERS.

AMEND. 44. [REPEALED.]

AMEND. 45. APPORTIONMENT (CONST., ART. 8, AS AMENDED BY CONST.
AMEND. 23, AMENDED).

AMEND. 46. HORSE RACING AND PARI-MUTUEL WAGERING AT HOT SPRINGS.

AMEND. 47. STATE AD VALOREM TAX PROHIBITION.

AMEND. 48. [REPEALED.]

AMEND. 49. [REPEALED.]

AMEND. 50. ELECTIONS CONDUCTED BY BALLOT OR VOTING MACHINE
(CONST., ART. 3, § 3, REPEALED AND NEW SECTIONS ADDED).

AMEND. 51. VOTER REGISTRATION.

AMEND. 52. COMMUNITY COLLEGES.

AMEND. 53. FREE SCHOOL SYSTEM (CONST., ART. 14, § 1, AMENDED).

AMEND. 54. PURCHASE OF PRINTING, STATIONERY AND SUPPLIES.

AMEND. 55. REVISION OF COUNTY GOVERNMENT.

AMEND. 56. CONSTITUTIONAL OFFICERS - GENERAL ASSEMBLY.

AMEND. 57. INTANGIBLE PERSONAL PROPERTY.

AMEND. 58. [REPEALED.]

AMEND. 59. TAXATION (CONST., ART. 16, § 5 REPEALED; §§ 5, 14, 15, 16 ADDED)

AMEND. 60. 1982 INTEREST RATE CONTROL AMENDMENT (CONST., ART. 19, § 13, AMENDED).

AMEND. 61. COUNTY ROAD TAX.

AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

AMEND. 63. FOUR YEAR TERMS FOR STATE CONSTITUTIONAL OFFICERS.

AMEND. 64. [REPEALED.]

AMEND. 65. REVENUE BONDS

AMEND. 66. JUDICIAL DISCIPLINE AND DISABILITY COMMISSION

AMEND. 67. JURISDICTION OF MATTERS RELATING TO JUVENILES AND BASTARDY.

AMEND. 68. ABORTION

AMEND. 69. REPEAL OF AMENDMENT 44 (PROTECTION OF STATES' RIGHTS).

AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE REIMBURSEMENTS.

AMEND. 71. PERSONAL PROPERTY TAXES.

AMEND. 72. CITY AND COUNTY LIBRARY AMENDMENT (CONST. AMENDS. 30 AND 38, §§ 1 AND 3, AMENDED, CONST. AMENDS. 30 AND 38, § 5, ADDED).

AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT

AMEND. 74. SCHOOL TAX - BUDGET - APPROVAL OF TAX RATE (CONST., ART. 14, § 3, AS AMENDED BY CONST. AMEND. 11 AND CONST. AMEND. 40, AMENDED)

AMEND. 75. [ENVIRONMENTAL ENHANCEMENT FUNDS].

AMEND. 76. THE CONGRESSIONAL TERM LIMITS AMENDMENT OF 1996 (CONST. AMEND. 73, § 3, AMENDED).

AMEND. 77. [SPECIAL JUDGES (ARK. CONST. ART 7, §§ 9, 21, 22, REPEALED)].

AMEND. 78. [CITY AND COUNTY GOVERNMENT REDEVELOPMENT]

AMEND. 79. [PROPERTY TAX RELIEF].

AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

AMEND. 81. [PROTECTION OF THE SECRECY OF INDIVIDUAL VOTES (CONST., AMEND. 50, § 3 REPEALED)]

AMEND. 82. [OBLIGATION BONDS FOR ECONOMIC DEVELOPMENT]

AMEND. 83. [MARRIAGE].

AMEND. 84. [AUTHORIZED BINGO OR RAFFLES].

AMEND. 85. [VOTING AND ELECTIONS AMENDMENT (CONST. AMENDS. ART. 3, §§ 1, 2, 8 AND 10 AMENDED, CONST. ART. 3, § 5 REPEALED)].

AMEND. 86. [GENERAL ASSEMBLY SESSIONS (CONST. AMENDS. ART. 5, §§ 5, 17, 29, 34, 39, 40 AND AMEND. 35, § 7 AMENDED)].

AMEND. 87. [STATE LOTTERY ESTABLISHED (CONST. AMENDS. ART. 19, § 14 AMENDED)].

AMEND. 88. [RIGHT TO HUNT, FISH, TRAP, AND HARVEST WILDLIFE].

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

AMEND. 90. [BONDS FOR ECONOMIC DEVELOPMENT (CONST. AMEND. 82 AMENDED)].

Publisher's Notes. Amendments to the Constitution have been inconsistently numbered both as proposed and as compiled in previous digests and compilations. This volume uses the numbers assigned by the Secretary of State in 1932 and used in Pope's Digest of 1937, which omitted certain prior amendments which were deemed superseded by later amendments.

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 1. "HOLFORD" BONDS (CONST., ART. 20 ADDED).

Publisher's Notes. This amendment added Ark. Const., Art. 20, and is incorporated into the original Constitution. The amendment was proposed by the General Assembly on January 30, 1883 (See Acts 1883, p. 346), was declared adopted by the Speaker of the House on January 14, 1885, and was so proclaimed by the Governor. The vote for the amendment was 119,806 and the vote against the amendment was 15,492.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 2. REGULATION OF CARRIERS (CONST., ART. 17, § 10
AMENDED).**

Publisher's Notes. This amendment amended Ark. Const., Art. 17, § 10, and is incorporated therein. The amendment was proposed by the General Assembly at the 1897 regular session (See Acts 1897, p. 92), declared to be adopted by the Speaker of the House on January 13, 1899, and so proclaimed by the Governor. The vote for the amendment was 63,703 and the vote against was 16,940.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 3. COUNTY ROAD TAX [REPEALED.]

Publisher's Notes. This amendment was repealed by Ark. Const. Amend. 61, § 2.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 4. SURETIES ON OFFICIAL BONDS (CONST., ART. 19, §
21 AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 19, § 21, and is incorporated therein. The amendment was proposed by the General Assembly at the 1899 regular session (See Acts 1899, p. 386). It was declared adopted by the Speaker of the House on January 17, 1901, and so proclaimed by the Governor. The vote for the amendment was 65,825 and the vote against the amendment was 23,033.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 5. PER DIEM AND MILEAGE OF GENERAL ASSEMBLY
(CONST., ART. 5, § 16 AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 5, § 16, and is incorporated therein. The amendment was declared to have been adopted by the Speaker of the House of Representatives on February 10, 1913 (See Acts 1913, p. 1525). The vote for the amendment was 103,246 and the vote against the amendment was 33,397.

Compensation of General Assembly members is now governed by Ark. Const. Amend. 56, § 3; commencement of terms is governed by Ark. Const., Art. 8, § 6, as amended. See *Berry v. Gordon*, 237 Ark. 547 and 865, 376 S.W.2d 279 (1964), and *State ex. rel. Purcell v. Jones*, 242 Ark. 168, 412 S.W.2d 284 (1967), for discussion of implied repeal of this provision by subsequent amendments.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).**

[§ 1. Executive department.](#)

[§ 2. Executive power vested in Governor and Lieutenant Governor.](#)

[§ 3. Election of Governor and Lieutenant Governor.](#)

[§ 4. Lieutenant Governor acting as Governor.](#)

[§ 5. Qualifications and duties of Lieutenant Governor - Succession to the governorship.](#)

[§ 6. Salary of Lieutenant Governor.](#)

Publisher's Notes. The enacting clause of the resolution proposing this amendment read:

"That section No. 17 of article 5 of the Constitution of the State of Arkansas be amended to read as follows:

"Executive Department

"Section 1. To amend section 1 of article 6 of the Constitution of the State of Arkansas to read as follows: * * *."

The amendment then proceeds to amend Art. 6, § 1, and to add five additional sections.

This amendment was submitted by the legislature (See Acts 1913, p. 1527) and voted upon at the general election, September 14, 1914, with returns as follows: for, 46,567; against, 45,206. It was declared to be in force in *Combs v. Gray*, 170 Ark. 956, 281 S.W. 918 (1926). See also *Brickhouse v. Hill*, 167 Ark. 513, 268 S.W. 865 (1925).

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).**

§ 1. Executive department.

Publisher's Notes. This section amended Ark. Const., Art. 6, § 1, and is incorporated therein.

This section was probably superseded by Ark. Const. Amend. 37, § 1, which was repealed by Ark. Const. Amend. 56, § 5, and replaced by § 1 of that amendment. However, Ark. Const. Amend. 56, § 1, has probably been superseded by Ark. Const. Amend. 63, § 1.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).

§ 2. Executive power vested in Governor and Lieutenant Governor.

The executive power shall be vested in a Governor, who shall hold office for two years; a Lieutenant Governor shall be chosen at the same time and for the same term. The Governor and Lieutenant Governor elected next preceding the time when this section shall take effect shall hold office until and including the second Monday of September, and their successors shall be chosen at the general election in that year.

Publisher's Notes. This section has probably been superseded by Ark. Const. Amend. 63 as to terms of office. See also Ark. Const., Art. 6, § 2, as to power of Governor.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).
§ 3. Election of Governor and Lieutenant Governor.

The Governor and Lieutenant Governor shall be elected at the times and places of choosing members of the Assembly. The persons respectively having the highest number of votes for Governor and Lieutenant Governor shall be elected, but in case two or more shall have an equal and the highest number of votes for Governor, or for Lieutenant Governor, the two houses of the Legislature at its next annual session shall forthwith, by joint ballot, choose one of the said persons so having an equal and the highest number of votes for Governor or Lieutenant Governor.

Publisher's Notes. In connection with this section, see Ark. Const., Art. 6, § 3.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).
§ 4. Lieutenant Governor acting as Governor.

In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation or absence from the State, the powers and duties of the office, shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State, in time of war, at the head of a military force thereof, he shall continue commander-in-chief of all the military force of the State.

Publisher's Notes. This section probably supersedes Ark. Const., Art. 6, § 12, in its entirety and may supersede § 14 of that article in part.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).**

**§ 5. Qualifications and duties of Lieutenant Governor -
Succession to the governorship.**

The Lieutenant Governor shall possess the same qualifications of eligibility for the office as the Governor. He shall be President of the Senate, but shall have only a casting vote therein in case of a tie vote. If during a vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office or be absent from the State, the President of the Senate shall act as Governor until the vacancy be filled or the disability shall cease; and if the President of the Senate for any of the above causes shall become incapable of performing the duties pertaining to the office of Governor, the Speaker of the Assembly shall act as Governor until the vacancy be filled or the disability shall cease.

Publisher's Notes. The third sentence of this section probably supersedes Ark. Const., Art. 6, § 13, in its entirety and may supersede § 14 of that article in part.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 6. EXECUTIVE DEPARTMENT AND OFFICERS (CONST.,
ART. 6, § 1, AMENDED AND SECTIONS ADDED).
§ 6. Salary of Lieutenant Governor.

The Lieutenant Governor shall receive for his services an annual salary of two thousand dollars, and shall not receive or be entitled to any other compensation, fee or perquisite, for any duty or service he may be required to perform by the Constitution or by law.

Publisher's Notes. This section was held to be superseded by Ark. Const. Amend. 56, § 2, in *Berry v. Gordon*, 237 Ark. 547, 376 S.W.2d 279 (1964).

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 7. INITIATIVE AND REFERENDUM (CONST., ART. 5, §
1, AMENDED).**

Publisher's Notes. This amendment amended Const., Art. 5, § 1, and is incorporated therein. The amendment was adopted at the general election of Nov. 2, 1920, by a vote of 86,360 for and 43,662 against. It was declared lost by the Speaker of the House on Jan. 15, 1921, but was declared adopted in *Brickhouse v. Hill*, 167 Ark. 513, 268 S.W. 865 (1925).

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 8. QUALIFICATIONS OF ELECTORS (CONST., ART. 3, §
1, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 3, § 1, and is incorporated therein. The amendment was proposed in the 1919 session (see Acts 1919, p. 489) and voted upon at the general election of 1920, with the following results: for, 87,237; against, 49,751. It was declared to be in force by the Attorney General. See the decisions in *Brickhouse v. Hill*, 167 Ark. 513, 268 S.W. 865 (1925) and *Combs v. Gray*, 170 Ark. 956, 281 S.W. 918 (1926).

The poll tax requirement of this amendment was repealed by Ark. Const. Amend. 51, § 17.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 9. SUPREME COURT.**

[§ 1. Enlargement - Sitting in division.](#)

[§ 2. Compensation of judges.](#)

Publisher's Notes. This amendment was proposed by the General Assembly at the 1923 session (see Acts 1923, S.J.R. 1, p. 796) and approved at the general election of Oct. 7, 1924, by vote of 52,151 for and 40,955 against. It was declared adopted in *Brickhouse v. Hill*, 167 Ark. 513, 268 S.W. 865 (1925).

This amendment is being set out to correct an error in the 2004 Replacement Volume.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 9. SUPREME COURT.

§ 1. Enlargement - Sitting in division.

The Supreme Court shall be composed of five judges, one of whom shall be styled Chief Justice and elected as such, any three of whom shall in every case be necessary to a decision. Provided if it should hereafter become necessary to increase the number of the judges of the Supreme Court, the Legislature may provide for two additional judges and may also provide for the court sitting in divisions under such regulations as may be prescribed by law; provided further, that should the court sit in divisions, in all cases where the construction of the Constitution is involved, the cause shall be heard by the court in banc, and in all cases when a judge of a division dissents from the opinion therein, at the request of the Chief Justice, or such dissenting justice, the cause shall be transferred to the court in banc for its decision.

Publisher's Notes. Acts 1925, No. 205, § 1, increased the number of judges to seven.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 9. SUPREME COURT.
§ 2. Compensation of judges.

The Supreme Court judges shall at stated times receive compensation for their services to be fixed by law. When the salary of the judges under this amendment to the Constitution shall have been established by law, such salary shall not thereafter be increased or diminished during their respective terms. Until otherwise provided by law, the judges of the Supreme Court shall each receive a salary of Seven thousand five hundred dollars per annum.

Publisher's Notes. This section is probably superseded by Ark. Const. Amend. 43.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 10. LIMITATION ON LEGISLATIVE AND TAXING
POWER (CONST., ART. 12, § 4, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 12, § 4, and is incorporated therein. The amendment was proposed by the General Assembly at the 1923 regular session (see Acts 1923, p. 797) and voted upon at the general election on October 7, 1924. Returns: for, 57,854; against, 35,449. The amendment was declared adopted in *Brickhouse v. Hill*, 167 Ark. 513, 268 S.W. 865 (1925).

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 11. SCHOOL TAX (CONST., ART. 14, § 3, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 14, § 3, and is incorporated therein. The amendment was proposed by the General Assembly at the 1925 regular session (see Acts 1925, p. 1090), was voted upon at the general election on October 5, 1926, and adopted by a vote of 97,502 for and 40,837 against.

Ark. Const., Art. 14, § 3, as amended by Ark. Const. Amend. 11, was further amended by Ark. Const. Amend. 40 and Ark. Const. Amend. 74. See notes to Ark. Const., Art. 14, § 3.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 12. TEXTILE MILLS, TAX EXEMPTION.**

Cotton mills tax exempt for seven years.

All capital invested in a textile mill in this state for the manufacture of cotton and fiber goods in any manner shall be and is hereby declared to be exempt from taxation for a period of seven years from the date of the location of said textile mill.

Publisher's Notes. This amendment was proposed by the General Assembly at the 1925 regular session (see Acts 1925, p. 1089) and adopted at the general election on Oct. 5, 1926, by a vote of 102,044 for and 31, 661 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 13. [REPEALED.]

Publisher's Notes. This amendment, which amended Ark. Const., Art. 16, § 1, was repealed by Ark. Const. Amend. 62, § 11.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 14. LOCAL ACTS.**

Local or special acts prohibited - Rights to repeal acts by legislature.

The General Assembly shall not pass any local or special act. This amendment shall not prohibit the repeal of local or special acts.

Publisher's Notes. This amendment was proposed by initiative petition filed in the office of the Secretary of State on May 28, 1926 (see Acts 1927, p. 1215). It was approved at the general election on Oct. 5, 1926, by a vote of 80,500 for and 44,150 against.

This amendment may supersede Ark. Const., Art. 5, §§ 24-26.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 15. SALARIES OF STATE OFFICERS.

Salaries of state officials.

The annual salaries of the State and District Officers hereinafter mentioned, which shall be paid in monthly installments, shall be as follows:

For Governor, the sum of \$6,000.00; for Secretary of State, the sum of \$4,000.00; for Treasurer of the State, the sum of \$4,000.00; for Auditor of the State, the sum of \$4,000.00; for Attorney General, the sum of \$5,000.00; for Judge of the Circuit Courts and Chancellors, each, the sum of \$3,600.00.

The members of the General Assembly shall receive as their salary the sum of One Thousand (\$1,000.00) Dollars, except the Speaker of the House of Representatives, who shall receive his salary of Eleven Hundred Dollars (\$1,100.00), for each period of two (2) years; and in addition to such salary the members of the general Assembly shall receive five cents per mile for each mile traveled in going to and returning from the seat of government over the most direct and practicable route, and provided further that when said members are required to attend an extraordinary session of the General Assembly they shall receive in addition to the salary herein provided the sum of 6.00 per day for each day they are required to attend, and mileage at the rate herein provided.

Publisher's Notes. This amendment was proposed by the General Assembly at the 1927 regular session (see Acts 1927, p. 1189). It was approved at the general election on Nov. 6, 1928, by a vote of 94,528 for and 56,042 against.

This amendment was held to be superseded by Ark. Const. Amend. 37 in *Berry v. Gordon*, 237 Ark. 547 and 865, 376 S.W.2d 276 (1964). Ark. Const. Amend. 37 was repealed by Ark. Const. Amend. 56, which now governs salaries of executive officers and General Assembly members.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 16. JURY TRIAL (CONST., ART. 2, § 7, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 2, § 7, and is incorporated therein. The amendment was proposed by the General Assembly at the 1927 regular session (see Acts 1927, p. 1190 and Acts 1929, p. 1521) and adopted at the general election on Nov. 6, 1928, by a vote of 101,890 for and 52,147 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 17. [REPEALED.]

Publisher's Notes. This amendment was repealed by Ark. Const. Amend. 62, § 11.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 18. TAX TO AID INDUSTRIES.

City tax. - It being most apparent that factories, industries and transportation facilities are necessary for the development of a community and for the welfare of its inhabitants, a special tax not exceeding five mills on the dollar of all taxable property in cities of the first class located in counties now or hereafter having not less than one hundred five thousand population, in addition to other taxes now provided by law, may be levied in such cities for the period that may be provided by law, when petitioned for by ten per cent of the owners of real property in such city and on consent of a majority of the electors of such city voting on the question.

The proceeds of such tax shall be expended by a board of three commissioners, each of whom shall be taxpayer in such city, said commissioners, to serve for such term as may be provided by law without compensation, except actual expenses. One of the commissioners shall be selected by a majority of the judges of the Supreme Court, sitting as a board, one by a majority of the judges of the Circuit, County and Chancery Courts of the county, sitting as a board, and one by a majority of the banks and trust companies located in such city whose representatives shall sit as a board. Where there are two such cities in such county and the tax herein provided for has been voted in each, one board of commissioners may be appointed for both cities if a majority of the boards having the appointive power deem best, and in that event a majority of the banks and trust companies in both cities shall appoint one commissioner, and the proceeds of the tax shall be expended for the benefit of both cities.

The proceeds of such tax may be expended as may be provided by law for the purpose of securing the location of factories, industries, river transportation and facilities therefor within and adjacent to such cities or other public purposes, exclusive of charities and those now within the powers of said cities to perform, and expenditures may also be made for advertising such cities and the State, or making secured loans to such factories and industries, or for any other public purpose that may be provided by law, connected with securing the location of such factories and industries and encouraging them.

The provisions of this amendment are separable, and if any should be held invalid the remainder shall stand.

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 6, 1928, by a vote of 99,507 for and

44,675 against. See Acts 1929, p. 1526.

[Browse Previous Page](#) |[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 18. TAX TO AID INDUSTRIES.

City tax. - It being most apparent that factories, industries and transportation facilities are necessary for the development of a community and for the welfare of its inhabitants, a special tax not exceeding five mills on the dollar of all taxable property in cities of the first class located in counties now or hereafter having not less than one hundred five thousand population, in addition to other taxes now provided by law, may be levied in such cities for the period that may be provided by law, when petitioned for by ten per cent of the owners of real property in such city and on consent of a majority of the electors of such city voting on the question.

The proceeds of such tax shall be expended by a board of three commissioners, each of whom shall be taxpayer in such city, said commissioners, to serve for such term as may be provided by law without compensation, except actual expenses. One of the commissioners shall be selected by a majority of the judges of the Supreme Court, sitting as a board, one by a majority of the judges of the Circuit, County and Chancery Courts of the county, sitting as a board, and one by a majority of the banks and trust companies located in such city whose representatives shall sit as a board. Where there are two such cities in such county and the tax herein provided for has been voted in each, one board of commissioners may be appointed for both cities if a majority of the boards having the appointive power deem best, and in that event a majority of the banks and trust companies in both cities shall appoint one commissioner, and the proceeds of the tax shall be expended for the benefit of both cities.

The proceeds of such tax may be expended as may be provided by law for the purpose of securing the location of factories, industries, river transportation and facilities therefor within and adjacent to such cities or other public purposes, exclusive of charities and those now within the powers of said cities to perform, and expenditures may also be made for advertising such cities and the State, or making secured loans to such factories and industries, or for any other public purpose that may be provided by law, connected with securing the location of such factories and industries and encouraging them.

The provisions of this amendment are separable, and if any should be held invalid the remainder shall stand.

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 6, 1928, by a vote of 99,507 for and

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 20. STATE BONDS.

Bonds prohibited except when approved by majority vote of electors. - Except for the purpose of refunding the existing outstanding indebtedness of the State and for assuming and refunding valid outstanding road improvement district bonds, the State of Arkansas shall issue no bonds or other evidence of indebtedness pledging the faith and credit of the State or any of its revenues for any purpose whatsoever, except by and with the consent of the majority of the qualified electors of the State voting on the question at a general election or at a special election called for that purpose.

Publisher's Notes. This amendment may be superseded by Ark. Const. Amend. 65.

This amendment was proposed by the General Assembly at the 1933 regular session (see Acts 1933, p. 879). It was approved at the general election Nov. 6, 1934, by a vote of 97,344 for and 26,299 against.

This Amendment to the Constitution of Arkansas shall be self-executing and require no enabling act, but shall take and have full force and effect immediately upon its adoption by the electors of the State.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 21. CRIMINAL PROSECUTIONS - SALARIES OF
PROSECUTORS.

[§ 1. Prosecution by indictment or information.](#)

[§ 2. Salaries of prosecuting attorneys.](#)

Publisher's Notes. This amendment was proposed by the General Assembly at the 1935 session (see Acts 1935, p. 995) and adopted by popular vote at the general election on Nov. 3, 1936. It was declared adopted by the Speaker of the House of Representatives on Jan. 12, 1937.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 21. CRIMINAL PROSECUTIONS - SALARIES OF
PROSECUTORS.

§ 1. Prosecution by indictment or information.

All offenses heretofore required to be prosecuted by indictment may be prosecuted either by indictment by a grand jury or information filed by the Prosecuting Attorney.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 21. CRIMINAL PROSECUTIONS - SALARIES OF
PROSECUTORS.

§ 2. Salaries of prosecuting attorneys.

The General Assembly of Arkansas shall by law determine the amount and method of payment of salaries of prosecuting attorneys.

Publisher's Notes. This section may supersede Ark. Const., Art. 19, § 23, with respect to salaries of prosecuting attorneys.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN
STATE TAXES.

[§ 1. Homesteads of \\$1,000.00 assessed valuation exempted from certain taxes.](#)

[§ 2. Legislature authorized to make further exemptions.](#)

[§ 3. Legislature to restore tax funds eliminated hereby, and to pass enabling law.](#)

[§ 4. No notes or bonds of state impaired hereby.](#)

[§ 5. Amendment in effect, when.](#)

Publisher's Notes. This amendment was adopted by popular vote at the general election on Nov. 3, 1936. It was declared adopted by the Speaker of the House of Representatives on Jan. 12, 1937.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN
STATE TAXES.

**§ 1. Homesteads of \$1,000.00 assessed valuation exempted
from certain taxes.**

The homestead of each and every resident of the State, whether or not such resident be married or unmarried, male or female, shall be wholly exempt from all state taxes authorized or referred to in Section 8 of Article 16 of the Constitution of Arkansas in all cases where such homestead does not exceed the assessed valuation of one thousand dollars (\$1,000.00). Where the assessed valuation of such homestead exceeds one thousand dollars (\$1,000.00) this exemption shall apply to the first one thousand dollars (\$1,000.00) of such valuation.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN
STATE TAXES.

§ 2. Legislature authorized to make further exemptions.

Within a maximum limit of two thousand five hundred dollars (\$2,500.00) and a minimum limit of one thousand dollars (\$1,000.00), the legislature is hereby authorized and empowered from time to time to fix the amount of the exemption hereby provided.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN
STATE TAXES.

**§ 3. Legislature to restore tax funds eliminated hereby, and to
pass enabling law.**

**It is hereby made the duty of the legislature, and the legislature is hereby
directed:**

**(a) Fully and completely to replace or restore any and all funds which will or
may be eliminated, diminished or otherwise affected hereby or hereunder; but
the legislature shall not, in order to accomplish that purpose, impose or levy
any new form of tax.**

**(b) To enact, without unnecessary delay, all legislation necessary and
sufficient to make this amendment in all respects effective and workable.**

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN
STATE TAXES.

§ 4. No notes or bonds of state impaired hereby.

Nothing herein shall ever be construed, applied or administered so as to impair any right of any holder of any bond, note or other obligation heretofore issued or assumed by the state and now outstanding; but this amendment shall in every respect be construed, applied and administered so as fully to protect all the legal rights of all such holders.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 22. EXEMPTION OF HOMESTEADS FROM CERTAIN
STATE TAXES.

§ 5. Amendment in effect, when.

After and as soon as, and not before, the legislature shall have fulfilled the requirements of section 3 hereof, this amendment or any legislation enacted in pursuance of section 2, shall be in full force and effect.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 23. APPORTIONMENT (CONST., ART. 8 AMENDED).**

Publisher's Notes. This amendment rewrote Ark. Const., Art. 8, and is incorporated therein. The amendment was adopted at the general election held on Nov. 3, 1936, and was declared adopted by Speaker of the House of Representatives on Jan. 12, 1937.

Ark. Const., Art. 8, as amended by this amendment, was subsequently amended by Const., Amend. 45. See notes to Ark. Const., Art. 8.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 24. PROBATE COURTS - CIRCUIT AND COUNTY
CLERKS (CONST., ART. 7, §§ 19, 34, 35, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 7, §§ 19, 34, and 35, and is incorporated in those sections. The amendment was proposed by the General Assembly at the regular session of 1937 (see Acts 1937, p. 1400). It was adopted at the general election on Nov. 8, 1938, by a vote of 66,897 for and 52,632 against.

Ark. Const., Art. 7, §§ 34 and 35, as amended by this Amendment, are repealed by Ark. Const. Amend. 80, § 22, effective July 1, 2001.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 25. [REPEALED.]

Publisher's Notes. This amendment, which amended Ark. Const., Amend. 17, was repealed by Ark. Const., Amend. 62, § 11.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 26. WORKERS' COMPENSATION (CONST., ART. 5, § 32,
AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 5, § 32, and is incorporated therein. The amendment was proposed by initiative petition and was adopted at the general election on Nov. 8, 1938, by a vote of 77,028 for and 45,966 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 27. EXEMPTING NEW MANUFACTURING
ESTABLISHMENT FROM TAXATION.**

Power to exempt - Duration.

The Governor and the Agricultural and Industrial Commission (or the agency created by law to assist in the industrial development of Arkansas) may investigate and contract with the owners of any new manufacturing or processing establishment to be located in the State, or owners making addition or additions to any manufacturing or processing establishment already located in the State, for the exemption from State property taxation of any such new manufacturing or processing establishment, or any addition or additions to any such existing manufacturing or processing establishment, upon such terms and conditions as the Governor and the said Commission may deem to the best interests of the State; provided, that no exemption from taxes shall be granted under this amendment for a longer period than ten (10) calendar years succeeding the date of any such contract. Any such exemption shall "ipso facto" cease upon violation of the terms and conditions of any contract hereby made.

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 8, 1938, by a vote of 70,989 for and 49,276 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 28. REGULATING PRACTICE OF LAW.**

Supreme Court - Rule making power.

The Supreme Court shall make rules regulating the practice of law and the professional conduct of attorneys at law.

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 8, 1938, by a vote of 74,290 for and 46,932 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 29. FILLING VACANCIES IN OFFICE.

[§ 1. Elective offices - Exceptions.](#)

[§ 2. Ineligible persons - Nepotism.](#)

[§ 3. Violation of amendment - Compensation withheld.](#)

[§ 4. Duration of term of appointee - Election to fill vacancy.](#)

[§ 5. Election to fill - Placing names on ballots.](#)

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 8, 1938, by a vote of 63,414 for and 56,947 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 29. FILLING VACANCIES IN OFFICE.
§ 1. Elective offices - Exceptions.

Vacancies in the office of United States Senator, and in all elective state, district, circuit, county, and township offices except those of Lieutenant Governor, Member of the General Assembly and Representative in the Congress of the United States, shall be filled by appointment by the Governor.

Publisher's Notes. This section may supersede Ark. Const., Art. 7, § 50, with respect to judicial officers other than municipal court officers, but has been held not to supersede that section with respect to municipal courts. See Johnson County Bd. of Election Comm'rs v. Holman, 280 Ark. 128, 655 S.W.2d 408 (1983).

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 29. FILLING VACANCIES IN OFFICE.
§ 2. Ineligible persons - Nepotism.

The Governor, Lieutenant Governor and Acting Governor shall be ineligible for appointment to fill any vacancies occurring or any office or position created, and resignation shall not remove such ineligibility. Husbands and wives of such officers, and relatives of such officers, or of their husbands and wives within the fourth degree of consanguinity or affinity, shall likewise be ineligible. No person appointed under Section 1 shall be eligible for appointment or election to succeed himself.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 29. FILLING VACANCIES IN OFFICE.

§ 3. Violation of amendment - Compensation withheld.

No person holding office contrary to this amendment shall be paid any compensation for his services. Any warrant, voucher or evidence of indebtedness issued in payment for such services shall be void.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 29. FILLING VACANCIES IN OFFICE.

§ 4. Duration of term of appointee - Election to fill vacancy.

The appointee shall serve during the entire unexpired term in the office in which the vacancy occurs if such office would in regular course be filled at the next General Election if no vacancy had occurred. If such office would not in regular course be filled at such next general election the vacancy shall be filled as follows: At the next General Election, if the vacancy occurs four months or more prior thereto, and at the second General Election after the vacancy occurs if the vacancy occurs less than four months before the next General Election after it occurs. The person so elected shall take office on the 1st day of January following his election.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 29. FILLING VACANCIES IN OFFICE.
§ 5. Election to fill - Placing names on ballots.

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

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 30. CITY LIBRARIES

[§ 1. Petition for tax levy - Election.](#)

[§ 2. Result of election - Certification and proclamation - Tax levy.](#)

[§ 3. Raising, reducing or abolishing tax - Petition and election.](#)

[§ 4. Co-ordination of city with county library.](#)

[§ 5. Petition for tax levy - Election.](#)

Publisher's Notes. This amendment was proposed by initiative petition and adopted at the general election on Nov. 5, 1940.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 30. CITY LIBRARIES
§ 1. Petition for tax levy - Election.

Whenever 100 or more taxpaying electors of any city, having a population of not less than 5,000, shall file a petition with the Mayor asking that an annual tax on real and personal property be levied for the purpose of maintaining and operating a public city library and shall specify a rate of taxation not to exceed five mills on the dollar, the question as to whether such tax shall be levied shall be submitted to the qualified electors of such city at a general or special election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall be in substantially the following form:

For a _____ mill tax on real and personal property to be used for maintenance and operation of a public city library.

Against a _____ mill tax on real and personal property to be used for maintenance and operation of a public city library. [As amended by Const. Amend. 72, § 1.]

Publisher's Notes. Prior to amendment by Ark. Const. Amend. 72, § 1, this section read:

“Whenever 100 or more taxpaying electors of any city, having a population of not less than 5,000, shall file a petition with the Mayor asking that an annual tax on real and personal property be levied for the purpose of maintaining a public city library and shall specify a rate of taxation not exceeding one mill on the dollar, the question as to whether such tax shall be levied shall be submitted to the qualified electors of such city at a general city election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall be in substantially the following form:

“For a _____ mill tax on real and personal property to be used for maintenance of a public city library.

“Against a _____ mill tax on real and personal property to be used for maintenance of a public city library.”

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 30. CITY LIBRARIES

**§ 2. Result of election - Certification and proclamation - Tax
levy.**

The Election Commissioners shall certify to the Mayor the result of the vote, and if a majority of the qualified electors voting on the question at such election vote in favor of the specified tax, then it shall thereafter be continually levied and collected as other general taxes of such city are levied and collected. The result of the election shall be proclaimed by the Mayor. The result so proclaimed shall be conclusive unless attacked in the courts within thirty days. The proceeds of any tax voted for the maintenance of a city public library shall be segregated by the city officials and used only for that purpose.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 30. CITY LIBRARIES

§ 3. Raising, reducing or abolishing tax - Petition and election.

Whenever 100 or more taxpaying electors of any city having a library tax in force shall file a petition with the Mayor asking that such tax be raised, reduced or abolished, the question shall be submitted to the qualified electors at a general or special election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall follow, as far as practicable, the form set forth in Section 1 hereof. The result shall be certified and proclaimed, as provided in Section 2 hereof, and the result as proclaimed shall be conclusive unless attacked in the courts within thirty days. Subject to the limitations of Section 5(e) hereof, the tax shall be lowered, raised or abolished, as the case may be, according to the majority of the qualified electors voting on the question of such election. If lowered or raised, the revised tax shall thereafter be continually levied and collected and the proceeds used in the manner and for the purposes as provided in Section 2 hereof. [As amended by Const. Amend. 72, § 2.]

Publisher's Notes. Prior to amendment by Ark. Const. Amend. 72, § 2, this section read:

“Whenever 100 or more taxpaying electors of any city having a library tax in force shall file a petition with the Mayor asking that such tax be raised, reduced or abolished, the question shall be submitted to the qualified electors at a general city election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall follow, as far as practicable, the form set forth in Section 1 hereof. The result shall be certified and proclaimed, as provided in Section 2 hereof, and the result as proclaimed shall be conclusive unless attacked in the courts within thirty days. The tax shall be lowered, raised or abolished, as the case may be, according to the majority of the qualified electors voting on the question of such election; provided, however, that it shall not be raised to more than one mill on the dollar. If lowered or raised, the revised tax shall thereafter be continually levied and collected and the proceeds used in the manner and for the purposes as provided for in Section 2 hereof.”

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 30. CITY LIBRARIES
§ 4. Co-ordination of city with county library.

Nothing herein shall be construed as preventing a co-ordination of the services of a city public library and a county public library.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 30. CITY LIBRARIES
§ 5. Petition for tax levy - Election.

(a) Whenever 100 or more taxpaying electors of any city, having a population of not less than 5,000, shall file a petition with the Mayor asking that an annual tax on real and personal property be levied for capital improvements to or construction of a public city library and shall specify a rate of taxation not to exceed three mills on the dollar, the question as to whether such tax shall be levied shall be submitted to the qualified electors of such city at a general or special election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall be in substantially the following form:

For a _____ mill tax on real and personal property to be used for capital improvements to or construction of a public city library.
Against a _____ mill tax on real and personal property to be used for capital improvements to or construction of a public city library.

(b) The electors may authorize the governing body of the city to issue bonds as prescribed by law for capital improvements to or construction of the library and to authorize the pledge of all, or any part of, the tax authorized by this section for the purpose of retiring the bonds. The ballot submitting the question to the voters shall be in substantially the following form:

For a _____ mill tax on real and personal property within the city, to be pledged to an issue or issues of bonds not to exceed \$____, in aggregate principal amount, to finance capital improvements to or construction of the city library and to authorize the issuance of the bonds on such terms and conditions as shall be approved by the city.
Against a _____ mill tax on real and personal property within the city, to be pledged to an issue or issues of bonds not to exceed \$____, in aggregate principal amount, to finance capital improvements to or construction of the city library and to authorize the issuance of the bonds on such terms and conditions as they shall be approved by the city.

(c) The maximum rate of any special tax to pay bonded indebtedness, as authorized by paragraph (b) hereof shall be stated on the ballot.

(d) The special tax for payment of bonded indebtedness authorized in paragraph (b) hereof shall constitute a special fund pledged as security for the payment of such indebtedness. The special tax shall never be extended for any purpose, nor collected

for any greater length of time than necessary to retire such bonded indebtedness, except that tax receipts in excess of the amount required to retire the debt according to its terms may, subject to covenants entered into with the holders of the bonds, be pledged as security for the issuance of additional bonds if authorized by the voters. The tax for such additional bonds shall terminate within the time provided for the tax originally imposed. Upon retirement of the bonded indebtedness, any surplus tax collections, which may have accumulated shall be transferred to the general funds of the city, and shall be used for maintenance and operation of the public city library.

(e) Notwithstanding any other provision of this amendment, a tax approved by the voters for the purpose of paying the bonded indebtedness shall not be reduced or diminished, nor shall it be used for any other purpose than to pay principal of, premium or interest on, and the reasonable fees of a trustee or paying agent, so long as the bonded indebtedness shall remain outstanding and unpaid. [Added by Const. Amend. 72, § 3; amended by Const. Amend. 89.]

Publisher's Notes. This amendment repealed Ark. Const., Art. 19, § 13 and amended Ark. Const., Amend. 30, § 5, Amend. 38, § 5, Amend. 62, § 1, Amend. 65, § 4, and Amend. 78, § 2. The amendments to those sections, effective January 1, 2011, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 (now Amend. 89) and was adopted at the 2010 general election by a vote of 448,711 for and 250,167 against.

Prior to amendment, the introductory language of subsection (b) read: "The electors may authorize the governing body of the city to issue bonds as prescribed by law for capital improvements to or construction of the library and to authorize the pledge of all, or any part of, the tax authorized by this section for the purpose of retiring the bonds. The interest rate on any bonds shall not exceed the rate provided by this Constitution. The ballot submitting the question to the voters shall be in substantially the following form:"

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 31. POLICE AND FIREFIGHTERS' RETIREMENT
SALARIES AND PENSIONS.

§ 1. Election on question - Tax levy.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 31. POLICE AND FIREFIGHTERS' RETIREMENT
SALARIES AND PENSIONS.

§ 1. Election on question - Tax levy.

After consent of the majority of those voting on the question at any general or special election in cities of the first or second class, the cities may annually thereafter, levy a tax on the assessed value of real and personal property, not to exceed two mills on the dollar, from which there shall be created a Fund to pay Retirement Salaries and pensions to policemen and firemen theretofore or thereafter earned, and pensions to the widows and minor children of such, as may be provided by law. The annual levy for the Policeman's Retirement Salary and Pension Fund shall not exceed one mill on the dollar, and the annual levy for the Fireman's Retirement Salary and Pension Funds, shall not exceed one mill on the dollar. The manner of such levy of the tax, and the eligibility for the retirement salaries and pensions, the several amounts thereof and when payable, shall be such as may be provided by law.

Publisher's Notes. This amendment was proposed by initiative petition and adopted at the general election Nov. 5, 1940.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) |

[Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 32. COUNTY OR CITY HOSPITALS.**

[§ 1. Petition for tax levy - Election.](#)

[§ 2. Result of election - Certification and proclamation - Tax levy.](#)

[§ 3. Raising, reducing or abolishing tax - Petition and election.](#)

[§ 4. Amendment self executing.](#)

Publisher's Notes. This amendment was proposed by the General Assembly and filed in the office of the Secretary of State on March 27, 1941 (see Acts 1941, p. 1342). It was approved at the general election on Nov. 3, 1942, by a vote of 40,292 for and 38,682 against.

[Browse Previous Page](#) |

[Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 32. COUNTY OR CITY HOSPITALS.
§ 1. Petition for tax levy - Election.

Whenever in any county where there is located a public hospital owned by such county or by any municipal corporation therein, whether such hospital be operated by such county or municipal corporation or by a benevolent association as the agent or lessee of such county or municipal corporation, one hundred or more electors of such county shall file a petition with the county judge asking that an annual tax on real and personal property in such county be levied for the purpose of maintaining, operating and supporting such hospital and shall specify a rate of taxation not exceeding one mill on the dollar of the assessed value of real and personal property in the county. The question as to whether such tax shall be levied shall be submitted to the qualified electors of such county at a general election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The county judge upon the filing of such petition shall notify the county board of election commissioners thereof and the county board of election commissioners shall cause the question to be placed upon the ballots in substantially the following form:

For a _____ mill tax on real and personal property to be used for maintenance, operation and support of a public hospital.
Against a _____ mill tax on real and personal property to be used for maintenance, operation and support of a public hospital.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 32. COUNTY OR CITY HOSPITALS.

**§ 2. Result of election - Certification and proclamation - Tax
levy.**

The election commissioners shall certify to the county judge the result of the vote and if a majority of the qualified electors voting on the question at such election vote in favor of the specified tax then it shall thereafter be continually levied and collected as other general taxes of such county are levied and collected. The result of the election shall be proclaimed by the county judge by publication for one insertion in some newspaper published and having a bona fide circulation in such county. The result so proclaimed shall be conclusive unless attacked in the courts within thirty days and after the election it shall not be competent to attack the result thereof on the ground that any signers of the petition were not qualified electors. The proceeds of any tax so voted shall upon the settlement of the collecting officer be paid by the treasurer of the county to the treasurer of such hospital to be used by such treasurer in the maintenance, operation and support of such institution; provided that any county where there may be more than one hospital qualified to receive the proceeds of such tax, the quorum court at its meeting for the purpose of adopting the county's budget, shall provide for the apportionment of the proceeds of said tax between the institutions so qualified according to their respective needs.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 32. COUNTY OR CITY HOSPITALS.

§ 3. Raising, reducing or abolishing tax - Petition and election.

Whenever one hundred or more electors of any county having a hospital tax in force shall file a petition with the county judge asking that such tax be raised, reduced or abolished, the question shall be submitted to the qualified electors at a general election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballots shall follow, as far as practicable, the form set out in Section 1 hereof, and the result shall be certified and proclaimed as provided in Section 2 hereof and shall be conclusive in like manner. The tax shall be lowered, raised or abolished as the case may be, according to the majority of qualified electors voting on the question at such election, provided, however, that it shall not be raised to more than one mill on the dollar. If lowered or raised the revised tax shall thereafter be continually levied and collected and the proceeds used in the manner and for the purposes provided in Section 2 hereof.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 32. COUNTY OR CITY HOSPITALS.
§ 4. Amendment self executing.

This amendment shall be self executing and shall become a part of the constitution of the State of Arkansas when approved by a majority of the electors voting thereon at the next general election.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE
INSTITUTIONS.

[§ 1. Term of office of members.](#)

[§ 2. Abolition or transfer of powers of board or commission - Restrictions.](#)

[§ 3. Increase or decrease of members of board or commission prohibited.](#)

[§ 4. Removal of member - Procedure - Appeal.](#)

[§ 5. Vacancy - Filling.](#)

Publisher's Notes. This amendment was proposed by initiated petition and adopted at the general election on Nov. 3, 1942, by a vote of 39,756 for and 38,167 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE
INSTITUTIONS.

§ 1. Term of office of members.

The term of office of members of the boards or commissions charged with the management or control of all charitable, penal or correctional institutions and institutions of higher learning of the State of Arkansas, now in existence or hereafter created, shall be five years when the membership is five in number, seven years when the membership is seven in number, and ten years when the membership is ten in number. Such terms of office shall be arranged by the General Assembly to provide a membership with one term of office expiring every year from the effective date of this amendment. The unexpired terms of members serving on the effective date of this amendment shall not be decreased.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE
INSTITUTIONS.

§ 2. Abolition or transfer of powers of board or commission -
Restrictions.

The board or commission of any institution, governed by this amendment, shall not be abolished nor shall the powers vested in any such board or commission be transferred, unless the institution is abolished or consolidated with some other State institution. In the event of abolition or consolidation, the new board or commission shall consist of a membership of five, seven, or ten.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE
INSTITUTIONS.

§ 3. Increase or decrease of members of board or commission prohibited.

The membership of any such board or commission now in existence shall not be increased or decreased in number after the effective date of this amendment nor shall the number of members of any such board or commission created after this amendment is in operation be increased or decreased subsequent to its creation.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE
INSTITUTIONS.

§ 4. Removal of member - Procedure - Appeal.

The Governor shall have the power to remove any member of such boards or commissions before the expiration of his term for cause only, after notice and hearing. Such removal shall become effective only when approved in writing by a majority of the total number of the board or commission, but without the right to vote by the member removed or by his successor, which action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.

An appeal may be taken to the Pulaski Circuit Court by the Governor or the member ordered removed, and the same shall be tried de novo on the record. An appeal may be taken from the circuit court to the Arkansas Supreme Court, which shall likewise be tried de novo.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 33. BOARDS AND COMMISSIONS GOVERNING STATE
INSTITUTIONS.

§ 5. Vacancy - Filling.

Any vacancy arising in the membership of such board or commission for any reason other than the expiration of the regular term for which the member was appointed shall be filled by appointment by the Governor, subject to approval by a majority of the remaining members of the board or commission, and to be thereafter effective until the expiration of such regular term.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 34. RIGHTS OF LABOR.

[§ 1. Discrimination for or against union labor prohibited.](#)

[§ 2. Enforcement of amendment - Legislation authorized.](#)

Publisher's Notes. This amendment was proposed by initiated petition and approved at the general election on Nov. 7, 1944, by a vote of 105,300 for and 87,652 against. See Acts 1945, p. 770.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 34. RIGHTS OF LABOR.

§ 1. Discrimination for or against union labor prohibited.

No person shall be denied employment because of membership in or affiliation with or resignation from a labor union, or because of refusal to join or affiliate with a labor union; nor shall any corporation or individual or association of any kind enter into any contract, written or oral, to exclude from employment members of a labor union or persons who refuse to join a labor union, or because of resignation from a labor union; nor shall any person against his will be compelled to pay dues to any labor organization as a prerequisite to or condition of employment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 34. RIGHTS OF LABOR.

§ 2. Enforcement of amendment - Legislation authorized.

The General Assembly shall have power to enforce this article by appropriate legislation.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

[§ 1. Commission created - Members - Powers.](#)

[§ 2. Qualifications and appointment of members - Terms of office of first commission.](#)

[§ 3. Term of office of members.](#)

[§ 4. Oath of office - Members serve without compensation - Expenses - Payment.](#)

[§ 5. Removal of members - Hearing - Review and appeal.](#)

[§ 6. Vacancies - Filling - Chairman of commission.](#)

[§ 7. Executive secretary and other personnel - Selection - Salaries and expenditures.](#)

[§ 8. Nepotism prohibited - Powers of arrest - Funds - Use - Purposes - Game Protection Fund - Audit of accounts - Resident hunting and fishing licenses - Powers of commission.](#)

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 7, 1944, by a vote of 115,214 for and 72,797 against. See Acts 1945, p. 770.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

§ 1. Commission created - Members - Powers.

The control, management, restoration, conservation and regulation of birds, fish, game and wildlife resources of the State, including hatcheries, sanctuaries, refuges, reservations and all property now owned, or used for said purposes and the acquisition and establishment of same, the administration of the laws now and/or hereafter pertaining thereto, shall be vested in a Commission to be known as the Arkansas State Game and Fish Commission, to consist of eight members. Seven of whom shall be active and one an associate member who shall be the Head of the Department of Zoology at the University of Arkansas, without voting power.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

**§ 2. Qualifications and appointment of members - Terms of
office of first commission.**

Commissioners shall have knowledge of and interest in wildlife conservation. All shall be appointed by the Governor. The first members of the Commission shall be appointed by the Governor for terms as follows: One for one year, one for two years, one for three years, one for four years, one for five years, one for six years, and one for seven years. Each Congressional District must be represented on the Commission.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION
§ 3. Term of office of members.

Upon the expiration of the foregoing terms of the said Commission, a successor shall be appointed by the Governor for a term of seven years, which term of seven years shall thereafter be for each member of the Commission. No Commissioner can serve more than one term and none can succeed himself.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

§ 4. Oath of office - Members serve without compensation -
Expenses - Payment.

Each Commissioner shall take the regular oath of office provided in the Constitution and serve without compensation other than actual expenses while away from home engaged entirely on the work of the Commission.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

§ 5. Removal of members - Hearing - Review and appeal.

A Commissioner may be removed by the Governor only for the same causes as apply to other Constitutional Officers, after a hearing which may be reviewed by the Chancery Court for the First District with right of appeal therefrom to the Supreme Court, such review and appeal to be without presumption in favor of any finding by the Governor or the trial court.

Publisher's Notes. Amendment 80 to the Arkansas Constitution, adopted by voter referendum and effective July 1, 2001, established circuit courts as the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to the Constitution and specifically provided that "jurisdiction conferred on Circuit Courts established by this Amendment includes all matter previously cognizable by Circuit, Chancery, Probate and Juvenile Courts".

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

§ 6. Vacancies - Filling - Chairman of commission.

Vacancies on the Commission due to resignation or death shall be filled by appointment of the Governor for the unexpired term within thirty days from date of such vacancy; upon failure of the Governor to fill the vacancy within thirty days, the remaining Commissioners shall make the appointment for the unexpired term. A chairman shall be elected annually from the seven members of the Commission to serve one year.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION**

**§ 7. Executive secretary and other personnel - Selection -
Salaries and expenditures.**

The Commission shall elect an Executive Secretary, whose salary shall not exceed that of limitations placed on other constitutional departments; and other executive officers, supervisor, personnel, office assistants, wardens, game refuge keepers, and hatchery employees, whose salaries and expenditures must be submitted to the Legislature and approved by an Act covering specific items in the appropriation as covered by Article XVI Section 4 of the Constitution. [As amended by Const. Amend. 86.]

Publisher's Notes. This amendment, effective January 1, 2009, was proposed by H.J.R. 1004 (now Amend. 86) during the 2007 Regular Session and adopted at the November 2008 general election by a vote of 664,671 for and 292,436 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 35. WILD LIFE - CONSERVATION - ARKANSAS STATE
GAME AND FISH COMMISSION

**§ 8. Nepotism prohibited - Powers of arrest - Funds - Use -
Purposes - Game Protection Fund - Audit of accounts -
Resident hunting and fishing licenses - Powers of commission.**

No person shall be employed by the Commission who shall be related to any of the Commissioners or any other State officers within the third degree of relationship by blood or marriage. All employed personnel may make arrests for violation of the game and fish laws.

The fees, monies, or funds arising from all sources by the operation and transaction of the said Commission and from the application and administration of the laws and regulations pertaining to birds, game, fish and wildlife resources of the State and the sale of property used for said purposes shall be expended by the Commission for the control, management, restoration, conservation and regulation of the birds, fish and wildlife resources of the State, including the purchases or other acquisitions of property for said purposes and for the administration of the laws pertaining thereto and for no other purposes. All monies shall be deposited in the Game Protection Fund with the State Treasurer and such monies as are necessary, including an emergency fund, shall be appropriated by the Legislature at each legislative session for the use of the Game and Fish Commission as hereto set forth. No monies other than those credited to the Game Protection Fund can be appropriated.

All money to the credit of or that should be credited to the present Game Protection Fund shall be credited to the new Game Protection Fund and any appropriation made by the Legislature out of the Game Protection Fund shall be construed to be for the use of the new Commission and out of the new Game Protection Fund.

The books, accounts and financial affairs of the Commission shall be audited by the State Comptroller as that department deems necessary, but at least once a year.

Resident hunting and fishing license, each, shall be One and 50/100 Dollars annually, and shall not exceed this amount unless a higher license fee is authorized by an Act of Legislature.

The Commission shall have the exclusive power and authority to issue licenses and permits, to regulate bag limits and the manner of taking game and fish and furbearing animals, and shall have the authority to divide the State into zones, and regulate seasons and manner of taking game, and fish and furbearing animals therein, and fix penalties for violations. No rule or regulations shall apply to less than a complete zone, except temporarily in case of extreme emergency.

Said Commission shall have the power to acquire by purchase, gifts, eminent domain, or otherwise, all property necessary, useful or convenient for the use of the Commission in the exercise of any of its duties, and in the event the right of eminent domain is exercised, it shall be exercised in the same manner as now or hereafter provided for the exercise of eminent domain by the State Highway Commission. All laws now in effect shall continue in force until changed by the Commission. All contracts and agreements now in effect shall remain in force until the date of their expiration.

This amendment shall not repeal, alter or modify the provisions of any existing special laws under the terms of which a County Game Commission has been created:

The Commission shall be empowered to spend such monies as are necessary to match Federal grants under the Pittman-Robertson or similar acts for the propagation, conservation and restoration of game and fish.

This amendment shall become effective July 1, 1945.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 36. POLL TAX EXEMPTION.**

Members of the armed forces of United States.

Any citizen of Arkansas, while serving in the armed forces of the United States, may vote in any election, without having paid a poll tax, if otherwise qualified to vote in any such election.

Publisher's Notes. This amendment was proposed by initiated petition and adopted at the general election on Nov. 7, 1944, by a vote of 151,564 for and 38,964 against. See Acts 1945, p. 774.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 37. [REPEALED.]

Publisher's Notes. This amendment was repealed by Ark. Const. Amend. 56, § 5.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 38. COUNTY LIBRARIES

[§ 1. Petition for tax levy - Election.](#)

[§ 2. Result of election - Certification - Record - Tax levy - Funds - Disbursement.](#)

[§ 3. Raising, reducing or abolishing tax - Petition and election.](#)

[§ 4. Co-ordination of county with city library.](#)

[§ 5. Petition for tax levy - Election.](#)

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 5, 1946, by a vote of 64,859 for and 60,262 against. See Acts 1947, p. 1077.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 38. COUNTY LIBRARIES
§ 1. Petition for tax levy - Election.

Whenever 100 or more taxpaying electors of any county shall file a petition in the County Court asking that an annual tax on real and personal property be levied for the purpose of maintaining and operating a public county library or a county library service or system and shall specify a rate of taxation not to exceed five mills on the dollar, the question as to whether said tax shall be levied shall be submitted to the qualified electors of such county at a general or special election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall be in substantially the following form:

FOR a _____ mill tax on real and personal property to be used for maintenance and operation of a public county library or county library service or system.

AGAINST a _____ mill tax on real and personal property to be used for maintenance and operation of a public county library or county library service or system. [As amended by Const. Amend. 72, § 4.]

Publisher's Notes. Prior to amendment by Const., Amend. 72, § 4, this section read:

“Whenever 100 or more tax paying electors of any county shall file a petition in the County Court asking that an annual tax on real and personal property be levied for the purpose of maintaining a public county library or a county library service or system and shall specify a rate of taxation not exceeding one mill on the dollar, the question as to whether said tax shall be levied shall be submitted to the qualified electors of such county at a general county election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall be in substantially the following form:

“FOR a _____ mill tax on real and personal property to be used for maintenance of a public county library or county library service or system.

“AGAINST a _____ mill tax on real and personal property to be used for maintenance of a public county library or county library service or system.”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 38. COUNTY LIBRARIES

**§ 2. Result of election - Certification - Record - Tax levy -
Funds - Disbursement.**

The election commissioners shall certify to the County Judge the result of the vote. The County Judge shall cause the result of the election to be entered of record in the County Court. The result so entered shall be conclusive unless attacked in the courts within thirty days. If a majority of the qualified electors voting on the question at such election vote in favor of the specified tax, then it shall thereafter be continually levied and collected as other general taxes of such county are levied and collected; provided, however, that such tax shall not be levied against any real or personal property which is taxed for the maintenance of a city library, pursuant to the provisions of Amendment No. 30; and no voter residing within such city shall be entitled to vote on the question as to whether county tax shall be levied. The proceeds of any tax voted for the maintenance of a county public library or county library service or system shall be segregated by the county officials and used only for that purpose. Such funds shall be held in the custody of the County Treasurer. No claim against said funds shall be approved by the County Court unless first approved by the County Library Board, if there is a county Library Board functioning under Act 244 of 1927 [§§ 17-1001-17-1011], or similar legislation.

Publisher's Notes. The remaining sections of Acts 1927, No. 244, are codified in § 13-2-401 et seq.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 38. COUNTY LIBRARIES

§ 3. Raising, reducing or abolishing tax - Petition and election.

Whenever 100 or more taxpaying electors of any county having library tax in force shall file a petition in the County Court asking that such tax be raised, reduced or abolished, the question shall be submitted to the qualified electors at a general or special election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall follow, as far as practicable, the form set forth in Section 1 hereof. The result shall be certified and entered of record as provided in Section 2 hereof, and the result as entered of record shall be conclusive unless attacked in the courts within thirty days. Subject to the limitations of Section 5(e) hereof, the tax shall be lowered, raised or abolished, as the case may be, according to the majority of qualified electors voting on the question at such election. If lowered or raised, the revised tax shall thereafter be continually levied and collected and proceeds used in the manner and for the purposes as provided in Section 2 hereof. [As amended by Const. Amend. 72, § 5.]

Publisher's Notes. Prior to amendment by Ark. Const. Amend. 72, § 5, this section read:

“Whenever 100 or more tax paying electors of any county having library tax in force shall file a petition in the County Court asking that such tax be raised, reduced or abolished, the question shall be submitted to the qualified electors at a general county election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall follow, as far as practicable, the form set forth in Section 1 hereof. The result shall be certified and entered of record as provided in Section 2 hereof, and the result as entered of record shall be conclusive unless attacked in the courts within thirty days. The tax shall be lowered, raised or abolished, as the case may be, according to the majority of qualified electors voting on the question at such election; provided, however, that it shall not be raised to more than one mill on the dollar. If lowered or raised, the revised tax shall thereafter be continually levied and collected and proceeds used in the manner and for the purposes as provided in Section 2 hereof.”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 38. COUNTY LIBRARIES
§ 4. Co-ordination of county with city library.

Nothing herein shall be construed as preventing the co-ordination of the services of a city public library and county public library, or the co-ordination of the services of libraries of different counties.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 38. COUNTY LIBRARIES
§ 5. Petition for tax levy - Election.

(a) Whenever 100 or more taxpaying electors of any county shall file a petition in the County Court asking that an annual tax on real and personal property be levied for the purpose of capital improvements to or construction of a public county library or a county library service or system and shall specify a rate of taxation not to exceed three mills on the dollar, the question as to whether said tax shall be levied shall be submitted to the qualified electors of such county at a general or special election. Such petition must be filed at least thirty days prior to the election at which it will be submitted to the voters. The ballot shall be in substantially the following form:

FOR a ____ mill tax on real and personal property to be used for capital improvements to or construction of a public county library or county library service or system.

AGAINST a ____ mill tax on real and personal property to be used for capital improvements to or construction of a public county library or county library service or system.

(b) The voters may authorize the County Court to issue bonds as prescribed by law for capital improvements to or construction of the library and to authorize the pledge of all, or any part of, the tax authorized in Section 1 of this Amendment for the purpose of retiring the bonds. The ballot submitting the question to the voters shall be in substantially the following form:

For a _____ mill tax on real and personal property within the county, to be pledged to an issue or issues of bonds not to exceed \$_____, in aggregate principal amount, to finance capital improvements to or construction of the county library or county library service or system, and to authorize the issuance of the bonds on such terms and conditions as shall be approved by the County Court.

Against a _____ mill tax on real and personal property within the county, to be pledged to an issue or issues of bonds not to exceed \$_____, in aggregate principal amount, to finance capital improvements to or construction of the county library or county library service or system, and to authorize the issuance of the bonds on such terms and conditions as shall be approved by the County Court.

(c) The maximum rate of any special tax to pay bonded indebtedness, as authorized

by paragraph (b) hereof shall be stated on the ballot.

(d) The special tax for payment of bonded indebtedness authorized in paragraph (b) hereof shall constitute a special fund pledged as security for the payment of such indebtedness. The special tax shall never be extended for any purpose, nor collected for any greater length of time than necessary to retire such bonded indebtedness, except that tax receipts in excess of the amount required to retire the debt according to its terms may, subject to covenants entered into with the holders of the bonds, be pledged as security for the issuance of additional bonds if authorized by the voters. The tax for such additional bonds shall terminate within the time provided for the tax originally imposed. Upon retirement of the bonded indebtedness, any surplus tax collections, which may have accumulated, shall be transferred to the general funds of the county, and shall be used for maintenance of the county library or county library service or system.

(e) Notwithstanding any other provision of this Amendment, a tax approved by the voters for the purpose of paying the bonded indebtedness shall not be reduced or diminished, nor shall it be used for any other purpose than to pay principal of, premium or interest on, and the reasonable fees of a trustee or paying agent, so long as the bonded indebtedness shall remain outstanding and unpaid. [Added by Const. Amend. 72, § 6; amended by Const. Amend. 89.]

Publisher's Notes. This amendment repealed Ark. Const., Art. 19, § 13 and amended Ark. Const., Amend. 30, § 5, Amend. 38, § 5, Amend. 62, § 1, Amend. 65, § 4, and Amend. 78, § 2. The amendments to those sections, effective January 1, 2011, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 (now Amend. 89) and was adopted at the 2010 general election by a vote of 448,711 for and 250,167 against.

Prior to amendment, the introductory language of subsection (b) read: "The voters may authorize the County Court to issue bonds as prescribed by law for capital improvements to or construction of the library and to authorize the pledge of all, or any part of, the tax authorized in Section 1 of this Amendment for the purpose of retiring the bonds. The interest rate on any bonds shall not exceed the rate provided in this Constitution. The ballot submitting the question to the voters shall be in substantially the following form:"

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 39. VOTER REGISTRATION LAWS.

[§ 1. Authority to enact registration law.](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 39. VOTER REGISTRATION LAWS.
§ 1. Authority to enact registration law.

The General Assembly shall have power to enact laws providing for a registration of voters prior to any general, special, or primary election, and to require that the right to vote at any such election shall depend upon such previous registration.

Publisher's Notes. This amendment was proposed by Senate Joint Resolution in the 1947 session (see Acts 1947, p. 1068). It was approved at the general election on Nov. 2, 1948, by a vote of 135,151 for and 71,934 against. See Acts 1949, p. 1412.

The amendment, as reflected in its enacting clause, specifically supersedes the clause in Ark. Const., Art. 3, § 2, prohibiting voter registration.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 40. SCHOOL DISTRICT TAX (CONST., ART. 14, § 3, AS
AMENDED BY CONST. AMEND. 11, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 14, § 3, as amended, and is incorporated therein. The amendment was proposed by Senate Joint Resolution (see Acts 1947, p. 1068) and filed in the office of the Secretary of State on March 28, 1947. It was voted upon at the general election on Nov. 2, 1948, and adopted by a vote of 136,576 for and 82,557 against.

Ark. Const., Art. 14, § 3, as amended by Ark. Const. Amend 11 and Ark. Const. Amend. 40, was further amended by Ark. Const. Amend. 74. See notes to Ark. Const., Art. 14, § 3.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 41. ELECTION OF COUNTY CLERKS.**

Election of county clerk.

The provisions for the election of a County Clerk upon a population basis are hereby abolished and there may be elected a County Clerk in like manner as a Circuit Clerk, and in such cases, the County Clerk may be ex officio Clerk of the Probate Court of such county until otherwise provided by the General Assembly.

Publisher's Notes. This amendment was proposed by House Joint Resolution, No. 3 (see Acts 1951, p. 970) and filed in the office of the Secretary of State on March 20, 1951. It was approved at the general election on Nov. 4, 1952, by a vote of 178,278 for and 123,245 against.

The amendment contained a preliminary paragraph which read "That the Constitution of the State of Arkansas be amended modifying Section 19 of Article 7 and Section 3 of Amendment No. 24 of said Constitution, so as to provide for the election of a County Clerk in all of the said counties of the State, as follow: ."

Amendment 80 to the Arkansas Constitution, adopted by voter referendum and effective July 1, 2001, established circuit courts as the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to the Constitution and specifically provided that "jurisdiction conferred on Circuit Courts established by this Amendment includes all matter previously cognizable by Circuit, Chancery, Probate and Juvenile Courts ".

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.

[§ 1. Commission created - Members - Powers.](#)

[§ 2. Qualifications and appointment of members - Terms of office of first commission.](#)

[§ 3. Terms of office of members.](#)

[§ 4. Removal of members - Hearing - Review and appeal.](#)

[§ 5. Vacancies - Filling.](#)

[§ 6. Director of Highways.](#)

Publisher's Notes. This amendment was proposed by Senate Joint Resolution, No. 7 (see Acts 1951, p. 970) and filed in the office of the Secretary of State on March 20, 1951. It was approved at the general election on Nov. 4, 1952, by a vote of 231,529 for and 78,291 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.
§ 1. Commission created - Members - Powers.

There is hereby created a State Highway Commission which shall be vested with all the powers and duties now or hereafter imposed by law for the administration of the State Highway Department, together with all powers necessary or proper to enable the Commission or any of its officers or employees to carry out fully and effectively the regulations and laws relating to the State Highway Department.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.

§ 2. Qualifications and appointment of members - Terms of office of first commission.

Within ten days after the convening of the General Assembly of the State of Arkansas in the year 1953, the Governor, by and with the advice and consent of the Senate, shall appoint five persons who are qualified electors of the State to constitute the State Highway Commission for terms of two, four, six, eight and ten years respectively. The terms of the persons so appointed shall be determined by lot. The Commissioners to be appointed from the State at large; provided, however, that no two Commissioners shall be appointed from any single Congressional District.

In the event of rejection by the Senate of a person whose name has been so submitted, the Governor shall within five days after receipt of written notice from the Secretary of the Senate of such rejection submit the name of another appointee to fill such vacancy. In the event the Governor should within five days thereafter fail to appoint or fail to submit to the Senate for confirmation the name of any person to be appointed, the Senate shall proceed to make the appointment of its own choice.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.
§ 3. Terms of office of members.

Upon the expiration of the foregoing terms of said Commissioners, a successor shall be appointed by the Governor in the manner provided for in Section 2 for a term of ten years, which term shall thereafter be for each member of the Commission.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.

§ 4. Removal of members - Hearing - Review and appeal.

A Commissioner may be removed by the Governor only for the same causes as apply to other constitutional officers after a hearing which may be reviewed by the Chancery Court for the First District with right of appeal therefrom to the Supreme Court, such review and appeal to be without presumption in favor of any finding by the Governor or the trial court, and provided further, in addition to the right of confirmation hereinabove reserved to the Senate, the Senate may upon the written request of at least Five (5) of its members that a member or members of the Commission should be removed therefrom, proceed, when in session, to hear any and all evidence pertinent to the reasons for removal. The member or members whose removal is so requested shall be entitled to be heard in the matter and to be represented before the Senate by legal Counsel. These proceedings conducted by the Senate shall be public and a transcript of the testimony so heard shall be prepared and preserved in the journal of the Senate. The taking of evidence either orally or by deposition shall not be bound by the formal rules of evidence. Upon the conclusion of the hearing, the Senate, sitting as a body in executive session, may remove said member or members of the Commission by a majority vote conducted by secret ballot.

Publisher's Notes. Amendment 80 to the Arkansas Constitution, adopted by voter referendum and effective July 1, 2001, established circuit courts as the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to the Constitution and specifically provided that "jurisdiction conferred on Circuit Courts established by this Amendment includes all matter previously cognizable by Circuit, Chancery, Probate and Juvenile Courts".

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.
§ 5. Vacancies - Filling.

Vacancies on the Commission due to resignations, death or removal shall be filled by appointment of the Governor for the unexpired term within thirty days from the date of such vacancy. Upon failure of the Governor to fill the vacancy within thirty days, the remaining Commissioners shall make the appointment for the unexpired term.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | [Table of Contents](#) | [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 42. STATE HIGHWAY COMMISSION.
§ 6. Director of Highways.

The Commission shall appoint a Director of Highways who shall have such duties as may be prescribed by the Commission or by statute.

[Browse Previous Page](#) | [Table of Contents](#) | [Browse Next Page](#)

[Browse Previous Page](#) | [Table of Contents](#) | [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 43. SALARIES AND EXPENSES OF JUDICIAL OFFICERS.**

Salaries and expenses of judges.

The General Assembly shall by law determine the amount and method of payment of salaries and expenses of the judges of the Supreme Court, Circuit Courts, Chancery Courts, and Municipal Courts of Arkansas; provided such salaries and expenses may be increased but not diminished during the term for which such judges are elected; provided further that the salaries of Circuit and Chancery Judges shall be uniform throughout the state.

Publisher's Notes. This amendment was proposed by initiative petition filed in the office of the Secretary of State on June 15, 1956. It was approved at the general election on Nov. 6, 1956, by a vote of 198,566 for and 155,627 against.

This amendment probably supersedes Ark. Const. Amend. 9, § 2.

Amendment 80 to the Arkansas Constitution, adopted by voter referendum and effective July 1, 2001, established circuit courts as the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to the Constitution and specifically provided that "jurisdiction conferred on Circuit Courts established by this Amendment includes all matter previously cognizable by Circuit, Chancery, Probate and Juvenile Courts ".

[Browse Previous Page](#) | [Table of Contents](#) | [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 44. [REPEALED.]

Publisher's Notes. This amendment was repealed by Ark. Const. Amend. 69, § 1.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 45. APPORTIONMENT (CONST., ART. 8, AS AMENDED
BY CONST. AMEND. 23, AMENDED).**

Publisher's Notes. This amendment amended Ark. Const., Art. 8, as amended by Const., Amend. 23, and is incorporated in that article. The amendment was proposed by initiative petition filed in the office of the Secretary of State on July 5, 1956. It was adopted at the general election on Nov. 6, 1956, by a vote of 197,602 for and 143,100 against.

The amendment to Ark. Const., Art. 8, § 3, was held unconstitutional in *Yancey v. Faubus*, 238 F. Supp. 290 (E.D. Ark. 1965). However, it was held in *Faubus v. Kinney*, 239 Ark. 443, 389 S.W.2d 887 (1965), that the remainder of the amendment was not affected. See notes to Ark. Const., Art. 8.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 46. HORSE RACING AND PARI-MUTUEL WAGERING AT
HOT SPRINGS.**

Horse racing and pari-mutuel wagering lawful at Hot Springs.

Horse racing and pari-mutuel wagering thereon shall be lawful in Hot Springs, Garland County, Arkansas, and shall be regulated by the General Assembly.

Publisher's Notes. This amendment was proposed by initiative petition filed in the office of the Secretary of State on July 5, 1956. It was approved at the general election on Nov. 6, 1956, by a vote of 219,835 for and 161,630 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 47. STATE AD VALOREM TAX PROHIBITION.

State ad valorem tax prohibited.

No ad-valorem tax shall be levied upon property by the State.

Publisher's Notes. This amendment was proposed by H.J.R. No. 1 (see Acts 1957, p. 1488) and filed in the office of the Secretary of State on March 27, 1957. It was approved at the general election on Nov. 4, 1958, by a vote of 139,293 for and 108,135 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 48. [REPEALED.]

Publisher's Notes. This amendment was repealed by Const., Amend. 56, § 5.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 49. [REPEALED.]

Publisher's Notes. This amendment was repealed by Const., Amend. 62, § 11.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 50. ELECTIONS CONDUCTED BY BALLOT OR VOTING
MACHINE (CONST., ART. 3, § 3, REPEALED AND NEW
SECTIONS ADDED).

[§ 1. Repeal of Article III, Section 3.](#)

[§ 2. Elections by ballot or voting machines authorized.](#)

[§ 3. \[Repealed.\]](#)

[§ 4. Voting machines.](#)

Publisher's Notes. This amendment was proposed by initiative petition and adopted at the general election on Nov. 6, 1962, by a vote of 134,782 for and 132,123 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 50. ELECTIONS CONDUCTED BY BALLOT OR VOTING
MACHINE (CONST., ART. 3, § 3, REPEALED AND NEW
SECTIONS ADDED).

§ 1. Repeal of Article III, Section 3.

Article III, Section 3, of the Constitution of the State of Arkansas is hereby repealed and the following section is substituted therefor.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 50. ELECTIONS CONDUCTED BY BALLOT OR VOTING
MACHINE (CONST., ART. 3, § 3, REPEALED AND NEW
SECTIONS ADDED).

§ 2. Elections by ballot or voting machines authorized.

All elections by the people shall be by ballot or by voting machines which insure the secrecy of individual votes.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 50. ELECTIONS CONDUCTED BY BALLOT OR VOTING
MACHINE (CONST., ART. 3, § 3, REPEALED AND NEW
SECTIONS ADDED).
§ 3. [Repealed.]

Publisher's Notes. This section was repealed by Ark. Const. Amend. 81, which was proposed by H.J.R. 1004 during the 2001 Regular Session and adopted at the November 2002 general election. The former section provided:

“In elections by ballot every ballot shall be numbered in the order in which it is received, the number shall be recorded by the election officers on the list of voters opposite the name of the elector who presents the ballot, and the election officers shall be sworn or affirmed not to disclose how any elector voted unless required to do so as witnesses in a judicial proceeding or a proceeding to contest an election.”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 50. ELECTIONS CONDUCTED BY BALLOT OR VOTING
MACHINE (CONST., ART. 3, § 3, REPEALED AND NEW
SECTIONS ADDED).
§ 4. Voting machines.

Voting machines may be used to such extent and under such rules as may be prescribed by the General Assembly.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.

[§ 1. Statement of policy.](#)

[§ 2. Definitions.](#)

[§ 3. Application.](#)

[§ 4. Permanent registration.](#)

[§ 5. Duties of registration officials.](#)

[§ 6. Voter registration application forms.](#)

[§ 7. Registration record files.](#)

[§ 8. Voter registration application records and reports.](#)

[§ 9. Application to register.](#)

[§ 10. Transfer and change of status.](#)

[§ 11. Cancellation of registration.](#)

[§ 12. Loss or destruction of voter registration records.](#)

[§ 13. Fail-safe voting.](#)

[§ 14. Voter registration lists.](#)

[§ 15. Penalties.](#)

[§ 16. Severability.](#)

[§ 17. Effect on other laws.](#)

[§ 18. Appropriations.](#)

[§ 19. Amendment.](#)

[§ 20. Short title.](#)

Publisher's Notes. This amendment was proposed by initiative petition and approved at the general election on Nov. 3, 1964, by a vote of 277,087 for and 218,681 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 1. Statement of policy.

The purpose of this amendment is to establish a system of permanent personal registration as a means of determining that all who cast ballots in general, special and primary elections in this State are legally qualified to vote in such elections, in accordance with the Constitution of Arkansas and the Constitution of the United States.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 2. Definitions.

As used in this amendment, the terms:

(a) "County Board of Registration" means the County Board of Election Commissioners in each of the several counties of this State.

(b) "Permanent Registrar" means the County Clerk in each of the several counties of this State.

(c) "Deputy Registrar" means the Deputy County Clerk or clerical assistants appointed by the County Clerk.

(d) "Election" means any general, special or primary election held pursuant to any provisions of the Constitution or statutes of the State of Arkansas; provided, that this amendment shall not apply to selection of delegates to party conventions by party committees or to selection of party committeemen by party conventions.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 3. Application.

No person shall vote or be permitted to vote in any election unless registered in a manner provided for by this amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 4. Permanent registration.

When a voter is once registered under the provisions of this amendment, it is unnecessary for such voter again to register unless such registration is cancelled or subject to cancellation in a manner provided for by this amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874**

AMEND. 51. VOTER REGISTRATION.

§ 5. Duties of registration officials.

(a) Voter registration agencies shall distribute mail voter registration applications, provide assistance to applicants in completing voter registration application forms, unless the applicant refuses assistance, and accept completed voter registration application forms for transmittal to the appropriate permanent registrar via the Secretary of State. Voter registration agencies include the following:

(1) The Office of Driver Services of the Revenue Division of the Department of Finance and Administration and all State Revenue Offices;

(2) Public assistance agencies, which shall mean those agencies that provide services under the Food Stamps, Medicaid, Aid to Families with Dependent Children (AFDC), and the Special Supplemental Food Program for Women, Infants and Children (WIC) programs;

(3) Disabilities agencies, which shall mean agencies that offer state-funded programs primarily engaged in providing services to persons with disabilities;

(4) Public libraries; and

(5) The Arkansas National Guard.

(b) (1) The Secretary of State is designated as the chief election official. The Secretary shall prepare and distribute the pre-addressed postcard mail voter registration application forms described in 51-6 [section 6] of this amendment. Mail registration application forms shall serve for purposes of initial applications to register and shall also serve for changes of name, address, or party affiliation. Bilingual (Spanish/English) forms, braille forms, and large print forms shall be available upon request. The Secretary of State shall make the state mail voter registration application form available for distribution through governmental and private entities with particular emphasis on making them available for organized voter registration programs. Any person may distribute state registration cards. All registration cards shall be distributed to the public without charge.

(2) The Office of Driver Services and State Revenue Offices shall provide voter registration opportunities to those obtaining or renewing drivers licenses,

personal identification cards, duplicate or corrected licenses or cards, or changing address or name whether in person or by mail. The Office of Driver Services and State Revenue Offices shall use a computer process, which combines the drivers license and voter registration applications, minimizing duplicative information, and shall have available the federal or state mail voter registration application form, which may be used upon request or when the computer process is not available. If a person declines to apply to register to vote, the Office of Driver Services or State Revenue Office shall retain the record of declination for two (2) years.

(3) All public assistance agencies shall provide a federal or state mail voter registration application form with each application for assistance, and with each recertification, renewal or change of address or name relating to such assistance. Public assistance agencies shall provide voter registration application forms as part of the intake process, or as a combined computer process when a computer process is available. Public assistance agencies shall use a process or form that combines the application for assistance with the voter registration application when available. Public assistance agencies shall also provide declination forms as described in 51-6 [section 6] of this amendment, which shall be retained for two (2) years if an applicant declines to apply to register to vote.

(4) All disabilities agencies shall provide a federal or state mail voter registration application form with each application for services and with each recertification, renewal or change of address or name relating to such services. Disabilities agencies shall provide voter registration application forms as part of the intake process, or as a combined computer process when a computer process is available. Disabilities agencies may use a form that combines the application for services or assistance with the voter registration application when available. If the disabilities agency provides services in a person's home, then the agency shall also provide voter registration services at the person's home. Disabilities agencies shall also provide declination forms as described in 51-6 [section 6] of this amendment, which shall be retained for two (2) years if an applicant declines to apply to register to vote.

(c) (1) Employees of the Office of Driver Services and State Revenue Offices shall provide appropriate nonpartisan voter registration assistance and provide all applicants with a receipt containing the applicant's name and the date of the submission.

(2) Public assistance agencies and disabilities agencies shall train agency employees to provide the same degree of assistance in completing voter registration forms as is provided with regard to the completion of agency forms, unless the applicant refuses such assistance.

(3) Each revenue office, public assistance agency and disabilities agency shall provide ongoing training for employees who will be assisting persons with

voter registration applications and shall include information regarding training procedures in the report filed with the Secretary of State pursuant to § 51-8 (d) [section 8(d)] of this amendment.

(4) A person who provides voter registration assistance through any voter registration agency shall not:

(A) Seek to influence an applicant's political preference or party registration;

(B) Display any such political preference or party allegiance;

(C) Make any statement to an applicant or take any action to the purpose or effect of discouraging the applicant from registering to vote;

(D) Make any statement to an applicant or take any action to the purpose or effect of leading the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits; or

(E) Disclose any applicant's voter registration information, except as necessary for the administration of voter registration.

(d) The Permanent Registrar shall provide office and clerical facilities and may employ such clerical assistants which he may deem necessary to fulfill the duties imposed by this amendment; provided, that all clerical assistants so employed shall have the qualifications required by law of eligible voters and shall be selected on the basis of competence and without reference to political affiliation.

(e) The State Board of Election Commissioners is authorized and, as soon as is possible after the effective date of this amendment, directed to prescribe, adopt, publish and distribute:

(1) such Rules and Regulations supplementary to this amendment and consistent with this amendment and other laws of Arkansas as are necessary to secure uniform and efficient procedures in the administration of this amendment throughout the State;

(2) a Manual of instruction for the information, guidance and direction of election officials within the state; and

(3) detailed specifications of the registration record files, the voter registration application forms and other registration forms, including voter registration list maintenance forms, all of which shall be consistent with this amendment and uniform throughout the State. [As amended by Acts 1995, No. 599, § 1; 1995, No. 947, § 1; 1995, No. 964, § 1.]

Publisher's Notes. The 1995 amendment by No. 599 rewrote (c)(2); and made minor capitalization changes. The 1995 amendment by identical acts Nos. 947 and 964 rewrote this section.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.

§ 6. Voter registration application forms.

(a) (1) The mail voter registration application form may only require identifying information, including signature or mark, and other information, including data relating to previous registration by the applicant, as is necessary to assess the applicant's eligibility and to administer voter registration and other parts of the election process.

(2) Such forms shall include, in identical print, statements that:

(A) Specify voter eligibility requirements;

(B) Contain an attestation that the applicant meets all voter eligibility requirements and that the applicant does not claim the right to vote in another county or state;

(C) Specify the penalties provided by law for submission of a false voter registration application;

(D) Inform applicants that where they register to vote will be kept confidential; and

(E) Inform applicants that declining to register will also be kept confidential.

(3) The following information will be required of the applicant:

(A) Full name;

(B) Mailing address;

(C) Residence address and any other information necessary to identify the residence of the applicant;

(D) If previously registered, the name then supplied by the applicant, and the previous address, county, and state;

(E) Date of birth;

(F) A signature or mark made under penalty of perjury that the applicant meets each requirement for voter registration;

(G) If the applicant is unable to sign his or her name, the name, address, and

telephone number of the person providing assistance;

(H) If the applicant has a current and valid driver's license, the applicant's driver's license number;

(I) If the applicant does not have a current and valid driver's license, the last four (4) digits of the applicant's social security number; and

(J) If the applicant does not have a current and valid driver's license number or social security number, the Secretary of State will assign the applicant a number which will serve to identify the applicant for voter registration purposes, and this number shall be placed on the application.

(4) The following information may be requested on the registration card, but it shall not be required:

(A) Telephone number where the applicant may be contacted; and

(B) Political party with which the applicant wishes to be affiliated, if any.

(5) The mail voter registration application shall not include any requirement for notarization or other formal authentication.

(6) The mail voter registration application form shall include the following questions along with boxes for the applicant to check "yes" or "no" in response:

(A) "Are you a citizen of the United States of America and an Arkansas resident?";

(B) "Will you be eighteen (18) years of age on or before election day?";

(C) "Are you presently adjudged mentally incompetent by a court of competent jurisdiction?"; and

(D) "Have you ever been convicted of a felony without your sentence having been discharged or pardoned?"

(7) The mail voter registration application form shall include the following statements immediately following the questions asked in subdivision (a)(6) of this section:

(A) "If you checked "No" in response to either questions A or B, do not complete this form.";

(B) "If you checked "Yes" in response to either questions C or D, do not complete this form."; and

(C) The mail-in voter registration application form shall include the following statement:

"If your voter registration application form is submitted by mail and you are registering for the first time, and you do not have a valid driver's license number or social security number, in order to avoid the additional identification requirements upon voting for the first time you must submit with the mailed registration form: (a) a current and valid photo identification; or (b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address."

(8) If an applicant for voter registration fails to provide any of the information required by this section, the permanent registrar shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for its completion before the next election for federal office.

(9) The mail voter registration application shall be pre-addressed to the Secretary of State.

(b) (1) The voter registration application portion of the process used by the Office of Driver Services and state revenue offices shall include:

(A) The question: "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(B) A statement that if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;

(C) A statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;

(D) Voter registration eligibility requirements;

(E) Penalties provided by law for providing false information;

(F) An attestation that the applicant meets each eligibility requirement and that the applicant does not claim the right to vote in another county or state; and

(G) A space for the applicant's signature or mark.

(2) The voter registration application portion shall require the signature of the applicant under penalty of perjury, but shall not require notarization or other formal authentication.

(c) Public assistance agencies and disabilities agencies shall provide, in addition to the federal or state mail voter registration application form, a declination form, to be approved by the State Board of Election Commissioners, which includes the following question and statements:

(1) The question in prominent type, "IF YOU ARE NOT REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY? YES NO"

(2) The statement in close proximity to the question above and in equally prominent type, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME";

(3) The statement, "APPLYING TO REGISTER OR DECLINING TO REGISTER TO VOTE WILL NOT AFFECT THE AMOUNT OF ASSISTANCE THAT YOU WILL BE PROVIDED BY THIS AGENCY";

(4) The statement, "IF YOU WOULD LIKE HELP IN FILLING OUT THE VOTER REGISTRATION APPLICATION FORM, WE WILL HELP YOU. THE DECISION WHETHER TO SEEK OR ACCEPT HELP IS YOURS. YOU MAY FILL OUT THE APPLICATION FORM IN PRIVATE";

(5) The statement, "IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE, YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, OR YOUR RIGHT TO CHOOSE YOUR OWN POLITICAL PARTY OR OTHER POLITICAL PREFERENCE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT" (filled in with the address and telephone number of the Secretary of State's office);

(6) The statement, "IF YOU DECLINE TO REGISTER TO VOTE, THE FACT THAT YOU HAVE DECLINED TO REGISTER WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES"; and

(7) The statement, "IF YOU DO REGISTER TO VOTE, THE OFFICE AT WHICH YOU SUBMIT A VOTER REGISTRATION APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES". [As amended by Acts 1971, No. 828, § 1; 1995, No. 947, § 2; 1995, No. 964, § 2; 2003, No. 995, § 1; 2009, No. 659, § 1.]

Publisher's Notes. Prior to amendment by Acts 1971, No. 828, subdivision (8) read:

"number or name of the voter's school district and number or name of the voter's precinct."

The proviso to subdivision (a)(8)(b) read exactly as it appeared in the 1971 amendment prior to further amendment in 1995.

Acts 1971, No. 828, § 2 read:

“The amendment of Subsection (8) of Section 6 of Amendment 51 of the Constitution of the State of Arkansas, as provided in Section 1 hereof, is hereby made in conformance with the provisions of Section 19 of said Amendment 51 to the Constitution of the State of Arkansas, it being the determination of the General Assembly that said Amendment is germane to Amendment 51 and is consistent with its policy and purposes.”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.

§ 7. Registration record files.

(a) By the deadline to establish a computerized statewide voter registration database under the federal Help America Vote Act of 2002, including any waivers or extensions of that deadline, the Secretary of State shall define, maintain, and administer the official, centralized, and interactive computerized voter registration list for all voters legally residing within the State. The list shall include:

(1) The name, address, county, precinct, assigned unique identifier and registration information of every legally registered voter in the state;

(2) The inactive registration records of persons who have failed to respond to address confirmation mailings described in § 10 of this amendment;

(3) List maintenance information for each person receiving address confirmation notices or final address confirmation notices, or both, and the person's response; and

(4) Cancelled voter registration records and documentation noting the reason for cancellation.

(b) The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the state.

(c) The computerized list shall serve as the official voter registration list for the conduct of all elections for federal, state, county, municipal, school, or other office in the state.

(d) The permanent registrar of each county shall maintain copies of that county's precinct voter registration list from the statewide computerized list as necessary for holding elections.

(e) The computerized list shall be coordinated with other state agency records on felony status as maintained by the Arkansas Crime Information Center, records on death as maintained by the State Department of Health, and driver's license records maintained by the Office of Driver Services, according to § 9 of Amendment 51 to the Arkansas Constitution.

(f) A person with an inactive voter registration status may activate his or her voting status by appearing to vote at the precinct in which he or she currently resides or by updating his or her voter registration records with the permanent registrar of the county in which he or she resides.

(g) The county board of election commissioners or other lawfully designated election officials shall cause the appropriate precinct voter registration lists to be at the polling places on the date of elections, and shall return them at the close of the election to the office of the permanent registrar with the ballot boxes.

(h) If the legal residence of a voter is renamed, renumbered, or annexed, the permanent registrar or any local election official may change the name or number of the legal residence on the voter's registration record and any other voting records. Within fifteen (15) days after the records are changed to reflect the new name or number of the residence, the permanent registrar shall notify the voter by mail that the change has been made.

(i) (1) The Secretary of State and any permanent registrar in the state, may obtain immediate electronic access to the information contained in the computerized list.

(2) All voter registration information obtained by any local election official in the state shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.

(3) The Secretary of State shall provide the support as may be required so that local election officials are able to enter the information. [As amended by Acts 1971, No. 299, § 1; 1973, No. 149, §§ 1-4; 1977, No. 563, § 1; 1991, No. 410, § 1; 1995, No. 947, § 3; 1995, No. 964, § 3; 2003, No. 995, § 2.]

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.

§ 8. Voter registration application records and reports.

(a) (1) The Office of Driver Services, State Revenue Offices, public assistance agencies, disabilities agencies, and other voter registration agencies shall transmit all completed voter registration applications to the Secretary of State in sufficient time to allow the Secretary of State to transmit the applications to the appropriate permanent registrar no later than ten (10) days after the date of acceptance by the assisting agency. When applications are accepted within five (5) days before the last day of registration for an election, they must be transmitted no later than five (5) days after the date of acceptance at the assisting agency.

(2) The Secretary of State shall transmit all mail voter registration applications to the appropriate permanent registrar no later than ten (10) days after the date of receipt. When applications are received within five (5) days before the last day of registration for an election, they must be transmitted no later than five (5) days after date of receipt. If forms are received by the wrong election office, they shall be forwarded to the appropriate permanent registrar not later than the fifth day after receipt.

(b) The Office of Driver Services, State Revenue Offices, public assistance agencies, disabilities and other voter registration agencies shall collect data on the number of voter registration applications completed or declined at each agency, and any additional statistical evidence that the Secretary of State or the State Board of Election Commissioners deems necessary for program evaluation and shall retain such voter registration data for a period of two (2) years.

(c) (1) The Secretary of State shall collect, maintain, and publish monthly statistical data reflecting the number of new voter registration applications, changes of address, name, and party affiliation, and declinations received by mail and in:

(A) state revenue offices;

(B) public assistance agencies;

(C) disabilities agencies;

(D) recruitment offices of the Armed Forces of the United States;

(E) public libraries; and

(F) offices of the Arkansas National Guard.

(2) Every six (6) months the Secretary of State shall compile a statewide report available to the public reflecting the statistical data collected pursuant to subsection (a). This report shall be submitted to the Federal Election Commission for the national report pursuant to section (9)(a)(3) of the National Voter Registration Act of 1993. The state report shall also include:

(A) numbers of and descriptions of the agencies, and the method of integrating voter registration in the agencies;

(B) an assessment of the impact of the National Voter Registration Act of 1993 on the administration of elections;

(C) recommendations for improvements in procedures, forms, and other matters affected by the National Voter Registration Act of 1993.

(d) Every six (6) months the state-level administration of each voter registration agency shall issue a report to the Legislative Council and the Secretary of State containing the statistical and other information collected in each agency office, and recommendations for improvements in procedures, forms, and other matters, including training.

(e) Information relating to the place where a person registered to vote, submitted a voter registration application, or updated voter registration records, and information relating to declination forms is confidential and exempt from the Freedom of Information Act, § 25-19-101, et seq. [As amended by Acts 1989, No. 540, § 1; 1995, No. 947, § 4; 1995, No. 964, § 4.]

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874**

AMEND. 51. VOTER REGISTRATION.

§ 9. Application to register.

(a) All persons may register who:

(1) Have not been convicted of a felony unless the person's sentence has been discharged or the person has been pardoned;

(2) Have not been adjudged mentally incompetent by a court of competent jurisdiction; and

(3) Meet one (1) of the following requirements:

(A) Are qualified electors who have not previously registered;

(B) Will become qualified electors during the thirty-day period immediately prior to the next election scheduled within the county; or

(C) Are otherwise qualified electors but whose registration has been cancelled in a manner provided for by this amendment.

(b) Registration shall be in progress at all times except during the thirty-day period immediately prior to any election scheduled within the county, during which period registration of voters shall cease for that election, but registration during such period shall be effective for subsequent elections.

(c) (1) The permanent registrar shall register qualified applicants when a legible and complete voter registration application is received and acknowledged by the permanent registrar.

(2) Any person who assists applicants with a voter registration application as part of a voter registration drive or who, in furtherance of a voter registration drive, gathers or possesses completed applications for submission to the permanent registrar or Secretary of State shall deliver all applications in his or her possession to the permanent registrar or Secretary of State within twenty-one (21) days of the date on the voter registration application and, in any event, no later than the deadline for voter registration for the next election.

(3) The permanent registrar shall register qualified applicants who apply to

register to vote by mail using the state or federal mail voter registration application form if:

(A) A legible and complete voter registration application form is postmarked not later than thirty (30) days before the date of the election, or, if the form is received by mail without a postmark, not later than twenty-five (25) days before the date of an election; and

(B) (i) The applicant provides a current valid driver's license number or the last four (4) digits of the applicant's social security number; or

(ii) If an applicant for voter registration does not have a valid driver's license or a social security number, the Secretary of State shall assign the applicant a number that will serve as a unique identifier of the applicant for voter registration purposes.

(d) The permanent registrar shall notify applicants whether their applications are accepted or rejected or are incomplete. If information required by the permanent registrar is missing from the voter registration application, the permanent registrar shall contact the applicant to obtain the missing information.

(e) The Secretary of State and the Director of the Office of Driver Services shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the Office of Driver Services to the extent required to enable each official to verify the accuracy of the information provided on applications for voter registration. The Director of the Office of Driver Services shall enter into an agreement with the Commissioner of Social Security to verify driver's license information according to § 303 of the Federal Help America Vote Act of 2002.

(f) Registration records shall be entered promptly in the computerized statewide registration record files. If the applicant lacks one (1) or more of the qualifications required by law of voters in this state, the permanent registrar shall not register the applicant, but shall document the reason for denying the applicant's registration and promptly file or enter the application and the documented reason for denying registration in the statewide registration record files.

(g) If the permanent registrar has any reason to doubt the qualifications of an applicant for registration, he or she shall submit such application to the county board of election commissioners, and such board shall make a determination with respect to such qualifications and shall instruct the permanent registrar regarding the same.

(h) If any person eligible to register as a voter is unable to register in person

at the permanent registrar's office by reason of sickness or physical disability, the permanent registrar shall register the applicant at his or her place of abode within such county, if practicable, in the same manner as if he or she had appeared at the permanent registrar's office.

(i) Notwithstanding other provisions of this amendment, every person in any of the following categories who is absent from the place of his or her voting residence may vote without prior registration by absentee ballot by submission of a federal postal card application as provided for in the Uniformed and Overseas Citizens Absentee Voting Act in any primary, special, school, or general election held in his or her election precinct if he or she is otherwise eligible to vote in that election:

(1) Members of the uniformed services of the United States while in active duty or service, and their spouses and dependents who, by reason of the active duty or service of the member, are absent from the place of residence where the spouse or dependent is otherwise qualified to vote;

(2) Members of the Merchant Marine while in active duty or service, and their spouses and dependents who, by reason of the active duty or service of the member, are absent from the place of residence where the spouse or dependent is otherwise qualified to vote; and

(3) Citizens of the United States residing or temporarily outside the territorial limits of the United States and the District of Columbia.

(j) (1) The Secretary of State shall be responsible for providing to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the state, information regarding voter registration procedures and absentee ballot procedures.

(2) No later than ninety (90) days after the date of each regularly scheduled general election for federal office, the Secretary of State shall submit a report, based on information submitted to him or her by the permanent registrars of each county, to the Election Assistance Commission on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of the ballots which were returned by the voters and cast in the election.

(3) The Secretary of State shall make the report available to the general public.

(k) Any person whose registration status or voting eligibility is affected adversely by an administrative determination under this amendment may appeal such adverse determination within five (5) days of receipt of notice thereof to the county board of election commissioners. The county board of election commissioners shall act on such appeal and render its decision within

ten (10) days of its receipt. Within thirty (30) days after receipt of such decision, any aggrieved party may appeal further to the circuit court of the county.

(l) If an election law deadline occurs on a Saturday, Sunday, or legal holiday, the deadline shall be the next day which is not a Saturday, Sunday, or legal holiday. [As amended by Acts 2003, No. 995, § 3; 2005, No. 1952, § 1; 2009, No. 659, § 2.]

Publisher's Notes. The Election Assistance Commission, referred to in subdivision (j) (2), is a federal commission.

Prior to the 1971 amendment, subsection (f) read:

“Notwithstanding other provisions of this amendment, all members of the armed forces of the United States and their spouses when residing with or accompanying them, who are otherwise eligible, may vote without registration by absentee ballot in accordance with the laws of this State.”

Section 9 of Amendment 51 to the Arkansas Constitution was amended by the General Assembly pursuant to the authority granted in Section 19 of that Amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 10. Transfer and change of status.

(a) Upon a change of legal residence within the county, or a change of name, any registered voter may cause his or her registration to be transferred to his or her new address or new name by completing and mailing a federal or state mail voter registration application form, by updating his or her address at the Office of Driver Services, any state revenue office, public assistance agency, disabilities agency, or other voter registration agency, by signing a mailed request to the permanent registrar, giving his or her present address and the address at which he or she was last registered or his or her present name and the name under which he or she was last registered, or by applying in person at the office of the permanent registrar.

(b) (1) Upon a change of legal residence from one (1) county within the state to another county within the state, any registered voter may cause his or her registration to be transferred to the new county at his or her new address by:

(A) Completing and mailing a federal or state mail voter registration application form;

(B) Updating his or her new address at a voter registration agency, including without limitation the Office of Driver Services or a state revenue office, public assistance agency, or disabilities agency;

(C) Signing a mailed request to the permanent registrar giving the voter's present address and the address at which the voter was last registered; or

(D) Applying in person for the transfer at the office of the permanent registrar.

(2) (A) If the updated registration information is actually received in the office of the county clerk of the voter's new county not later than four (4) days before a scheduled election, the voter shall have the right to vote in the scheduled election in the precinct into which the voter just moved in the new county.

(B) If the updated registration information is not actually received by the fourth day before a scheduled election, the voter shall not be eligible to vote in the scheduled election.

(c) If the change of legal residence is made pursuant to subsection (a) or subdivision (d)(1) of this section during the thirty-day administrative cut-off period immediately prior to any election scheduled within the county, the registered voter shall retain his or her right to vote in the scheduled election in the precinct to which he or she just moved.

(d) The permanent registrar shall conduct a uniform, nondiscriminatory address confirmation program during each odd-numbered year to ensure that voter registration lists are accurate and current. The address confirmation program shall be completed not later than ninety (90) days prior to a primary or general election for federal office. Based on change of address data received from the United States Postal Service or its licensees, or other unconfirmed data indicating that a registered voter no longer resides at his or her registered address, the permanent registrar shall send a forwardable address confirmation notice, including a postage-paid and preaddressed return card, to enable the voter to verify or correct the address information.

(1) If change of address data indicate that the voter has moved to a new residence address in the same county and, if the county is divided into more than one (1) congressional district, the same congressional district, the address confirmation notice shall contain the following statement:

"We have received notification that you have moved to a new address in _____ County (or in the _____ Congressional District). We will reregister you at your new address unless, within ten (10) days, you notify us that your change of address is not a change of your permanent residence. You may notify us by returning the attached postage-paid postcard or by calling (_____) _____-_____. If this is not a permanent change of residence and if you do not notify us within ten (10) days you may be required to update your residence address in order to vote at future elections."

(2) If the change of address data indicates that the voter has moved to a new address in another county or, if a county is divided into more than one (1) congressional district, to a new address in the same county but in a new congressional district, the notice shall include the following statement:

"We have received notification that you have moved to a new address not in _____ County (or not in the _____ Congressional District). If you no longer live in _____ County (or in the _____ Congressional District), you must transfer your registration to your new residence address in order to vote in the next election. If you are still an Arkansas resident, you may obtain a form to transfer your registration by calling your county clerk's office or the Secretary of State. If your change of address is not a change of your permanent residence, you must return the attached postage-paid postcard. If you do not return this card and continue to reside in _____ County (and

in the _____ Congressional District), you may be required to provide identification and update your residence address in order to vote at future elections, and if you do not vote at any election in the period between the date of this notice and the second federal general election after the date of this notice, your voter registration will be cancelled and you will have to reregister in order to vote. If the change of address is permanent, please return the attached postage-paid postcard which will assist us in keeping our voter registration records accurate.”

(e) The county clerk may send out an address confirmation to any voter when he or she receives unconfirmed information that the voter no longer resides at the address on the voter registration records. The county clerk shall follow the same confirmation procedure as set forth in subsection (d).

(f) Based on change of address information received pursuant to subsections (a) and (d) of this section, the permanent registrar shall:

(1) Update and correct the voter's registration if the information indicates that the voter has moved to a new address within the same county and the same congressional district;

(2) Designate the voter as inactive if the information indicates the voter has moved to a new address in another county or to a new address in another congressional district in the same county or if the address confirmation notices have been returned as undeliverable; or

(3) Cancel the voter registration in the county from which the voter has moved if the voter verifies in writing that he or she has moved to a residence address in another county. [As amended by Acts 1977, No. 882, § 1; 1991, No. 581, § 1; 1995, No. 947, § 6; 1995, No. 964, § 6; 1999, No. 1108, § 1; 2007, No. 560, § 1; 2009, No. 659, § 3.]

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 11. Cancellation of registration.

(a) It shall be the duty of the permanent registrar to cancel the registration of voters:

(1) Who have failed to respond to address confirmation mailings described in section 10 of this amendment and have not voted or appeared to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for federal office that occurs after the date of the address confirmation notice;

(2) Who have changed their residence to an address outside the county;

(3) Who have died;

(4) Who have been convicted of a felony and have not discharged their sentence or been pardoned;

(5) Who are not lawfully qualified or registered electors of this state or of the county; or

(6) Who have been adjudged mentally incompetent by a court of competent jurisdiction.

(b) It shall be the duty of the permanent registrar of each county upon the registration of a person who has been registered previously in another county or state to notify promptly the permanent registrar of such other county or state of the new registration.

(c) (1) It shall be the duty of the State Registrar of Vital Records to notify promptly the Secretary of State of the death of all residents of this state.

(2) (A) The Secretary of State shall compile a listing of the deceased residents of this state and shall promptly provide this listing to the permanent registrar of each county.

(B) The deceased voter registration shall be cancelled by the permanent registrar.

(d) (1) It shall be the duty of the circuit clerk of each county upon the conviction of any person of a felony to notify promptly the permanent registrar of the county of residence of such convicted felon.

(2) (A) It is the duty of any convicted felon who desires to register to vote to provide the county clerk with proof from the appropriate state or local agency, or office that the felon has been discharged from probation or parole, has paid all probation or parole fees, or has satisfied all terms of imprisonment, and paid all applicable court costs, fines, or restitution.

(B) Proof that the felon has been discharged from probation or parole, paid all probation or parole fees, or satisfied all terms of imprisonment, and paid all applicable court costs, fines, or restitution shall be provided to the felon after completion of the probation, parole, or sentence by the Department of Correction, the Department of Community Correction, the appropriate probation office or the circuit clerk as applicable.

(C) The circuit clerk or any other entity responsible for collection shall provide proof to the Department of Correction, the Department of Community Correction, or the appropriate probation office that the felon has paid all applicable court costs, fines, or restitution.

(D) Upon compliance with subdivision (d)(2)(A) of this section, the felon shall be deemed eligible to vote.

(e) Within ten (10) days following the receipt or possession of information requiring any cancellation of registration, other than under section 11(a)(1) of this amendment, the permanent registrar shall cancel the registration, note the date of the cancellation, the reason for the cancellation, and the person cancelling the registration.

(f) (1) The permanent registrar shall, thirty (30) days before cancellation, notify all persons whose registration records are to be cancelled in accordance with section 11(a)(1) of this amendment. The notice may be either by publication or by first class mail. The notice by mail shall be as follows:

"NOTICE OF IMPENDING CANCELLATION OF VOTER REGISTRATION.

According to our records you have not responded to our address confirmation notice and you have not voted in any election during the period beginning on the date of the notice and ending on the day after the date of the second general election for federal office after the date of the first notice. This may indicate that you no longer live at the residence address printed on the postcard. If your permanent residence address is still the same as the printed address on this postcard YOU MUST CONFIRM YOUR RESIDENCE ADDRESS in

order to remain on the voter registration list. If you do not return the attached postcard within thirty (30) days after the date postmarked on this card YOUR REGISTRATION WILL BE CANCELLED and you will have to re-register to vote."

(2) When, in response to the notice, a qualified voter requests the permanent registrar not to cancel the voter registration, the voter registration shall not be cancelled under section 11(a)(1) of this amendment.

(g) The permanent registrar is authorized, and may be directed by the county board of registration, to determine by mail check, house to house canvass, or any other reasonable means at any time within the whole or any part of the county whether active record registration files contain the names of any persons not qualified by law to vote. Further, upon application based upon affidavits of one (1) or more qualified voters by the prosecuting attorney for the county, the circuit judge of the county, for good cause shown, may order the permanent registrar to make sure determination or to cancel the registration of such unqualified persons. [As amended by Acts 1977, No. 744, § 1; 1983, No. 11, § 1; 1987, No. 800, § 1; 1991, No. 581, § 2; 1995, No. 947, § 7; 1995, No. 964, § 7; 2001, No. 560, § 1; 2003, No. 271, § 1; 2003, No. 375, § 1; 2003, No. 1451, § 1; 2009, No. 659, § 4.]

Publisher's Notes. This section was amended by two 1987 acts which conflict and cannot be codified together. Acts 1987, No. 800, was the last-enacted amendment and is set out above. Acts 1987, No. 597, § 1, would have amended subsections (a) and (f) to read as follows:

"(a) It shall be the duty of the Permanent Registrar to cancel the registration of voters:

"(1) Who have failed to vote in any election during four (4) successive calendar years immediately preceding the first of January of any year. Provided, the registration of a person who is in the active military service of the United States shall be cancelled for failure to vote only if such person has failed to vote in any election during six (6) successive calendar years immediately preceding the first of January of any year;

"(2) Who have changed their residence to an address outside the county;

"(3) Who have died or changed their name;

"(4) Who have been convicted of felonies and have not discharged their sentence or been pardoned; or

"(5) Who are not lawfully qualified or registered electors of this State, or of the county.

“(f) The Permanent Registrar may send all persons whose Affidavits of Registration are cancelled in accordance with Section 11(a)(1) of this amendment the following notice by first-class mail within ten (10) days after such cancellation: NOTICE OF CANCELLATION OF VOTER REGISTRATION. Notice is hereby given that due to your failure to vote in any election in this county during the preceding four (4) calendar years, (six (6) calendar years in the case of persons in active military service of the United States) under the laws of this State your voter registration has been cancelled. If you are still a qualified voter, you may register again at any time. Alternatively, the Permanent Registrar may publish a list of the names of all persons whose Affidavits of Registration are cancelled in the previous calendar year in accordance with Section 11(a)(1) of this amendment on or before the 31st day of January of each year in a legal newspaper. To assure proper identification, the name of the person's street or route and the name of the city, town, or community in which the person lives shall be included. The following notice shall be given and shall be followed by the list of names: NOTICE OF CANCELLATION OF VOTER REGISTRATION. Notice is hereby given that due to your failure to vote in any election in this county during the preceding four (4) calendar years, (six (6) calendar years in case of persons in active military service of the United States) under the laws of this State your voter registration has been cancelled. If you are still a qualified voter, you may register again at any time. ”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.

§ 12. Loss or destruction of voter registration records.

In the event any Registration Record or File shall become lost or destroyed, the Permanent Registrar shall prepare, from the remaining Files, temporary copies of the registration records if necessary for the conduct of any election. The Permanent Registrar shall send notice of such fact by first-class mail to any voter whose registration record has been lost, destroyed or mutilated in order that such voter may register again. The previous registration shall be cancelled at the time of the new registration, and in any event within sixty (60) days after mailing of such notice. [As amended by Acts 1995, No. 947, § 9; 1995, No. 964, § 9.]

Publisher's Notes. The 1995 amendment by identical acts Nos. 947 and 964 rewrote this section.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 13. Fail-safe voting.

If a voter presents himself at a polling place on the date of an election but no record of his voter registration can be located by the judges of the election on the precinct voter registration list, such voter shall be permitted to vote only under the conditions set forth in § [7-5-306](#) or § [7-7-308](#). [As amended by Acts 1973, No. 149, §§ 5, 6; 1995, No. 947, § 10; 1995, No. 964, § 10.]

Publisher's Notes. The 1973 amendment inserted the words "or previous signature on the Supplement Record of Voting Form" and "or supplement thereto" and deleted "thereon" preceding "are deemed" in subsection (b) and inserted "or Supplement Record of Voting Form" in subsection (e).

The 1995 amendment by identical acts Nos. 947 and 964 rewrote this section.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874**

AMEND. 51. VOTER REGISTRATION.

§ 14. Voter registration lists.

(a) By the first day of June of each year, and at such other times as may be practicable, all Permanent Registrars shall, and at their discretion at other times may, print or otherwise duplicate and publish lists of registered voters by precincts, and may distribute such lists pursuant to [§§ 7-5-105](#) and [§§ 7-5-109](#). A copy of the most current such list in each precinct shall be furnished the election officials at each precinct at the time the ballot boxes are delivered and such election officials shall post said list at a conspicuous place in the polling area.

(b) By the first day of June of each year, the Permanent Registrar shall certify to the Secretary of State the total number of registered voters in the county. The Secretary of State shall tabulate the total number of registered voters in the state and shall make such information available to interested persons upon request. [As amended by Acts 1995, No. 947, § 11; 1995, No. 964, § 11.]

Publisher's Notes. The 1995 amendment by identical acts Nos. 947 and 964, in (a), substituted "pursuant to [§§ 7-5-105](#) and [§§ 7-5-109](#)" for "free of cost, or, with the approval of the County Board of Registration, at a price necessary to cover cost of publication" and made a minor stylistic change; and substituted "Secretary of State" for "State Auditor" twice in (b).

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 15. Penalties.

(a) Any person who shall maliciously and intentionally destroy, steal, mutilate or unlawfully detain or obtain any voter registration form or any Registration Record Files shall be guilty of a felony, and upon conviction thereof shall be fined in the sum of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), or be imprisoned in the State Penitentiary for a period of not less than one (1) year nor more than five (5) years, or both.

(b) Any public official or election official who wilfully violates any provision of this amendment shall be guilty of a misdemeanor, and upon conviction thereof shall also be removed from such office.

(c) Any other person who wilfully violates any provision of this amendment shall be guilty of a misdemeanor. [As amended by Acts 1995, No. 947, § 12; 1995, No. 964, § 12.]

Publisher's Notes. The 1995 amendment by identical acts Nos. 947 and 964 substituted "voter registration form" for "Affidavits of Registration" in (a).

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 16. Severability.

If any provision of this amendment or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the amendment which can be given effect without the invalid provision or application, and to this end the provisions of this amendment are declared to be severable.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 17. Effect on other laws.

This amendment supersedes and repeals the requirement of Amendment No. 8 that a poll tax receipt be presented prior to registration or voting, and further supersedes and repeals Act 19 of 1964 and all other laws or parts of laws in conflict herewith.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 18. Appropriations.

The General Assembly shall make such appropriations as may be required for the effectuation of this amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 19. Amendment.

The General Assembly may, in the same manner as required for amendment of laws initiated by the people, amend Sections 5 through 15 of this amendment, so long as such amendments are germane to this amendment, and consistent with its policy and purposes.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 51. VOTER REGISTRATION.
§ 20. Short title.

This amendment shall be known as the "Arkansas Amendment for Voter Registration without Poll Tax Payment."

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 52. COMMUNITY COLLEGES.

§ 1. General Assembly may establish districts to furnish community college instruction and technical training.

§ 2. Prior approval of majority of qualified voters in proposed district required.

Publisher's Notes. This amendment was proposed by initiative petition and adopted at the general election on Nov. 3, 1964, by a vote of 221,199 for and 219,618 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 52. COMMUNITY COLLEGES.

§ 1. General Assembly may establish districts to furnish community college instruction and technical training.

The General Assembly may by law provide for the establishment of districts for the purpose of providing community college instruction and technical training. The General Assembly shall prescribe the method of financing such community college and technical institutes, and may authorize the levy of a tax upon the taxable property in such districts for the acquisition, construction, reconstruction, repair, expansion, operation, and maintenance of facilities therefor.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

§ 2. Prior approval of majority of qualified voters in proposed district required.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 52. COMMUNITY COLLEGES.

§ 2. Prior approval of majority of qualified voters in proposed district required.

No such district shall be created and no such tax shall be levied upon the property in an established district except upon approval of a majority of the qualified electors of such proposed or established district voting thereon. Provided that any millage so approved by the electors of a district shall be a continuing levy until increased, reduced or repealed in such manner as may be provided by law, providing they shall ever remain a community college and shall never be extended into four-year institutions.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 53. FREE SCHOOL SYSTEM (CONST., ART. 14, § 1,
AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 14, § 1, and is incorporated therein. The amendment was proposed by Senate Joint Resolution No. 4. (see Acts 1967, p. 1330) and filed in the office of the Secretary of State on March 8, 1967. It was approved at the general election on Nov. 5, 1968, by a vote of 244,370 for and 220,057 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 54. PURCHASE OF PRINTING, STATIONERY AND
SUPPLIES.

§ 1. Contracts given to lowest responsible bidder.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 54. PURCHASE OF PRINTING, STATIONERY AND
SUPPLIES.**

§ 1. Contracts given to lowest responsible bidder.

The printing, stationery, and supplies purchased by the General Assembly and other departments of government shall be under contracts given to the lowest responsible bidder, below such maximum price and under such regulations as shall be prescribed by law. No member or officer of any department of government shall in any way be interested in such contracts.

Publisher's Notes. This Amendment was proposed by Senate Joint Resolution No. 6, (see Acts 1973, p. 2225) and filed in the office of the Secretary of State on April 5, 1973. It was approved at the general election on Nov. 5, 1974, by a vote of 259,639 for and 210,830 against.

Const., Amend. 54, § 2 repealed Ark. Const., Art. 19, § 15.

Acts 1983, No. 760, § 1 read:

“On the effective date of this Act, printing, stationery and supplies subject to Amendment 54 of the Arkansas Constitution shall be subject to the provisions of the Arkansas Preference Law, Act 482 of 1979 as amended.”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.**

[§ 1. Power of quorum court.](#)

[§ 2. Composition of quorum court - Power over elective offices.](#)

[§ 3. Power of county judge.](#)

[§ 4. Powers of quorum court.](#)

[§ 5. Compensation of county officers fixed by quorum court.](#)

[§ 6. Bonding of county officers.](#)

Publisher's Notes. This amendment was proposed by H.J.R. No. 20 (see Acts 1973, p. 2230) and filed in the office of the Secretary of State on April 10, 1973. It was approved at the general election on Nov. 5, 1974, by a vote of 242,419 for and 230,014 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.

§ 1. Power of quorum court.

(a) A county acting through its Quorum Court may exercise local legislative authority not denied by the Constitution or by law.

(b) No county may declare any act a felony or exercise any authority not relating to county affairs.

(c) A county may, for any public purpose, contract, cooperate, or join with any other county, or with any political subdivisions of the State or any other states or their political subdivisions, or with the United States.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.

§ 2. Composition of quorum court - Power over elective offices.

(a) No county's Quorum Court shall be comprised of fewer than nine (9) justices of the peace, nor comprised of more than fifteen (15) justices of the peace. The number of justices of the peace that comprise a county's Quorum Court shall be determined by law. The county's Election Commission shall, after each decennial census, divide the county into convenient and single member districts so that the Quorum Court shall be based upon the inhabitants of the county with each member representing, as nearly as practicable, an equal number thereof.

(b) The Quorum Court may create, consolidate, separate, revise, or abandon any elective county office or offices except during the term thereof; provided, however, that a majority of those voting on the question at a general election have approved said action.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.
§ 3. Power of county judge.

The County Judge, in addition to other powers and duties provided for by the Constitution and by law, shall preside over the Quorum Court without a vote but with the power of veto; authorize and approve disbursement of appropriated county funds; operate the system of county roads; administer ordinances enacted by the Quorum Court; have custody of county property; hire county employees, except those persons employed by other elected officials of the county.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.
§ 4. Powers of quorum court.

In addition to other powers conferred by the Constitution and by law, the Quorum Court shall have the power to override the veto of the County Judge by a vote of three-fifths of the total membership; fix the number and compensation of deputies and county employees; fill vacancies in elective county offices; and adopt ordinances necessary for the government of the county. The Quorum Court shall meet and exercise all such powers as provided by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.

§ 5. Compensation of county officers fixed by quorum court.

Compensation of each county officer shall be fixed by the Quorum Court within a minimum and maximum to be determined by law. Compensation may not be decreased during a current term; provided, however, during the interim, from the date of adoption of this Amendment until the first day of the next succeeding month following the date of approval of salaries by the Quorum Court, salaries of county officials shall be determined by law. Fees of the office shall not be the basis of compensation for officers or employees of county offices. Per diem compensation for members of the Quorum Court shall be fixed by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 55. REVISION OF COUNTY GOVERNMENT.
§ 6. Bonding of county officers.

All County Officers shall be bonded as provided by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 56. CONSTITUTIONAL OFFICERS - GENERAL
ASSEMBLY.

§ 1. Executive department - Composition.

§ 2. [Repealed.]

§ 3. [Repealed.]

§ 4. Compensation of municipal officers.

Publisher's Notes. This amendment was proposed by Senate Joint Resolution No. 2 (see Acts 1975 (Extended Sess., 1976), p. 3033) and filed in the office of the Secretary of State on Jan. 28, 1976. It was approved at the general election on Nov. 7, 1976, by a vote of 441,247 for and 236,918 against.

Ark. Const. Amend. 56, § 5, repealed Ark. Const., Art. 19, § 23, and Ark. Const. Amends. 37 and 48.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 56. CONSTITUTIONAL OFFICERS - GENERAL
ASSEMBLY.

§ 1. Executive department - Composition.

The Executive Department of this State shall consist of a Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, all of whom shall keep their offices at the seat of government, and hold their offices for the term of two (2) years, and until their successors are elected and qualified.

Publisher's Notes. This section may be superseded by Ark. Const. Amend. 63, § 1.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 56. CONSTITUTIONAL OFFICERS - GENERAL
ASSEMBLY.

§ 2. [Repealed.]

Publisher's Notes. This section was repealed by Ark. Const. Amend. 70, § 5.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 56. CONSTITUTIONAL OFFICERS - GENERAL
ASSEMBLY.

§ 3. [Repealed.]

Publisher's Notes. This section was repealed by Ark. Const. Amend. 70, § 5.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 56. CONSTITUTIONAL OFFICERS - GENERAL
ASSEMBLY.

§ 4. Compensation of municipal officers.

Compensation of municipal officers and officials shall be fixed by the governing body of the municipality, not to exceed limits which may be established by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 57. INTANGIBLE PERSONAL PROPERTY.**

[§ 1. Intangible personal property - Assessment and taxation.](#)

[§ 2. Effect on other constitutional provisions.](#)

Publisher's Notes. This amendment was proposed by S.J.R. No. 4 (see Acts 1975 (Extended Sess., 1976), p. 3035) and filed in the office of the Secretary of State on Jan. 29, 1976. It was approved at the general election on Nov. 7, 1976, by a vote of 634,231 for and 93,277 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 57. INTANGIBLE PERSONAL PROPERTY.

§ 1. Intangible personal property - Assessment and taxation.

The General Assembly may classify intangible personal property for assessment at lower percentages of value than other property and may exempt one or more classes of intangible personal property from taxation, or may provide for the taxation of intangible personal property on a basis other than ad valorem.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 57. INTANGIBLE PERSONAL PROPERTY.
§ 2. Effect on other constitutional provisions.

The provisions of this Amendment shall be in lieu of those provisions of Article 16, Section 5 of the Constitution of the State of Arkansas relating to the assessment and taxation of intangible personal property.

Publisher's Notes. Ark. Const., Art. 16, § 5, as originally enacted, was repealed and replaced by Ark. Const. Amend. 59.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 58. [REPEALED.]

Publisher's Notes. This section was repealed by Ark. Const. Amend. 80, § 22 (D).

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 59. TAXATION (CONST., ART. 16, § 5 REPEALED; §§ 5,
14, 15, 16 ADDED)

Publisher's Notes. This amendment repealed Ark. Const., Art. 16, § 5, and substituted a new section therefor which appears as Ark. Const., Art. 16, § 5, in the text of the Constitution. The amendment also added Ark. Const., Art. 16, §§ 14-16, which appear in the text of the Constitution. The amendment was proposed by the General Assembly in 1979 (Extended Sess., 1980). It was voted on at the Nov. 4, 1980, election and adopted by a vote of 649,307 for and 152,629 against. See Wells v. Riviere, 269 Ark. 156, 599 S.W.2d 375 (1980) as to validity of proposal at extended session.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 60. 1982 INTEREST RATE CONTROL AMENDMENT
(CONST., ART. 19, § 13, AMENDED).

Publisher's Notes. This amendment amended Ark. Const., Art. 19, § 13, and is incorporated therein. The amendment was proposed by H.J.R. No. 7 (see Acts 1981, p. 2374(iv)), and filed in the office of the Secretary of State on March 30, 1981. It was approved at the general election on Nov. 2, 1982, by a vote of 442,325 for and 302,461 against.

Ark. Const. Amend. 60 provided that the popular name for this amendment is "The 1982 Interest Rate Control Amendment."

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 61. COUNTY ROAD TAX.

County quorum courts may annually levy a county road tax not to exceed three (3) mills on the dollar on all taxable real and personal property within their respective counties. Revenues derived from the county road tax shall be used for the sole purpose of constructing and repairing public roads and bridges within the county wherein levied. The authority granted by this amendment shall be in addition to all other taxing authority of the county quorum courts.

Publisher's Notes. This amendment was proposed by S.J.R. No. 1 (see Acts 1981, p. 2374(ii)) and filed in the office of the Secretary of State on March 30, 1981. It was approved at the general election on Nov. 2, 1982, by a vote of 362,009 for and 322,504 against.

Section 2 of Ark. Const., Amend. 61, repealed Ark. Const., Amend. 3.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

[§ 1. Local capital improvement bonds authorized - Election - Taxes - Limit on indebtedness - Suspension of tax levy.](#)

[§ 2. Issuance of bonds to secure and develop industry - Levy of tax - Suspension of collection - Limit on tax levy.](#)

[§ 3. Sale of bonds - Procedure.](#)

[§ 4. Maximum rate of tax stated on ballot - Borrowing prior to issuance of bonds.](#)

[§ 5. Special tax constitutes special fund - Disbursement of surplus.](#)

[§ 6. Conduct of elections.](#)

[§ 7. Provisions self-executing.](#)

[§ 8. Taxes levied and bonds authorized prior to amendment.](#)

[§ 9. Joint project of various governing bodies - Compact agreement elections.](#)

Publisher's Notes. With respect to the requirement for approval of bond issues, this amendment may be superseded by Ark. Const. Amend. 65.

This amendment was proposed by H.J.R. No. 1 (See Acts 1983, p. 2305) and filed in the office of the Secretary of State on Mar. 29, 1983. It was approved at the general election on Nov. 6, 1984, by a vote of 395,336 for and 342,404 against.

Ark. Const. Amend. 62, § 11, repealed Ark. Const. Amends. 13, 17, 25, and 49.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

**§ 1. Local capital improvement bonds authorized - Election -
Taxes - Limit on indebtedness - Suspension of tax levy.**

(a) The legislative body of a municipality or county, with the consent of a majority of the qualified electors voting on the question at an election called for that purpose, may authorize the issuance of bonds for capital improvements of a public nature, as defined by the General Assembly, in amounts approved by a majority of those voting on the question either at an election called for that purpose or at a general election. The General Assembly shall prescribe a uniform method of calling and holding such elections and the terms upon which the bonds may be issued. If more than one purpose is proposed, each shall be stated separately on the ballot. The election shall be held no earlier than thirty (30) days after it is called by the legislative body. The tax to retire the bonds may be an ad valorem tax on real and personal property. Other taxes may be authorized by the General Assembly or the legislative body to retire the bonds.

(b) The limit of the principal amount of bonded indebtedness of the municipality or county which may be outstanding and unpaid at the time of issuance of any bonds secured by a tax on real or personal property, except for bonds issued for industrial development purposes pursuant to Section 2 hereof, shall be a sum equal to ten percent (10%) for a county or twenty percent (20%) for a municipality of the total assessed value for tax purposes of real and personal property in the county or municipality, as determined by the last tax assessment.

(c) The municipality or county may from time to time, suspend the collection of a levy, when not required for the payment of its bonds, subject to the covenants with the bondholders. (Amended by Amend. 89.)

Publisher's Notes. This amendment repealed Ark. Const., Art. 19, § 13 and amended Ark. Const., Amend. 30, § 5, Amend. 38, § 5, Amend. 62, § 1, Amend. 65, § 4, and Amend. 78, § 2. The amendments to those sections, effective January 1, 2011, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 (now Amend. 89) and was adopted at the 2010 general election by a vote of 448,711 for and 250,167 against.

Prior to amendment, the introductory language of subsection (a) read: "The legislative body of a municipality or county, with the consent of a majority of the qualified electors voting on the question at an election called for that

purpose, may authorize the issuance of bonds, to bear interest at a rate not to exceed two percent (2%) per annum above the Federal Reserve Rate at the time of the election authorizing the bonds, for capital improvements of a public nature, as defined by the General Assembly, in amounts approved by a majority of those voting on the question either at an election called for that purpose or at a general election. The General Assembly shall prescribe a uniform method of calling and holding such elections and the terms upon which the bonds may be issued. If more than one purpose is proposed, each shall be stated separately on the ballot. The election shall be held no earlier than thirty (30) days after it is called by the legislative body. The tax to retire the bonds may be an ad valorem tax on real and personal property. Other taxes may be authorized by the General Assembly or the legislative body to retire the bonds."

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

§ 2. Issuance of bonds to secure and develop industry - Levy of tax - Suspension of collection - Limit on tax levy.

(a) In addition to the authority for bonded indebtedness set forth in Section 1, any municipality or county may, with the consent of the majority of the voters voting on the question at an election held for that purpose, issue bonds in sums approved by such majority at that election for the purpose of financing facilities for the securing and developing of industry within or near the county or municipality holding the election.

(b) To provide for payment of principal and interest of the bonds issued pursuant to the section, as they mature, the municipality or county may levy a special tax, not to exceed five (5) mills on the dollar of the taxable real and personal property therein. However, the municipality or county may, from time to time, suspend the collection of such annual levy when not required for the payment of its bonds. In no event shall any parcel of real and personal taxable property be subject to a special tax levied under the authority of this Section in excess of five (5) mills for bonds issued under this Section.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.
§ 3. Sale of bonds - Procedure.

The bonds described in Section 2 hereof shall be sold only at public sale after twenty (20) days advertisement in a newspaper having a bona fide circulation in the municipality or county issuing such bonds; provided, however, that the municipality or county may exchange such bonds for bonds of like amount, rate or interest, and length of issue.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

**§ 4. Maximum rate of tax stated on ballot - Borrowing prior to
issuance of bonds.**

The maximum rate of any special tax to pay bonded indebtedness as authorized in Sections 1 and 2 hereof shall be stated on the ballot. After such bond issue has been approved by the electorate, the municipality or county may, prior to the issuance of the bonds, borrow funds on an interim basis, not to exceed three (3) years, and pledge to the payment thereof the tax approved by the voters.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

§ 5. Special tax constitutes special fund - Disbursement of surplus.

The special tax for payment of bonded indebtedness authorized in Sections 1 and 2 hereof shall constitute a special fund pledged as security for the payment of such indebtedness. The special tax shall never be extended for any other purpose, nor collected for any greater length of time than necessary to retire such bonded indebtedness, except that tax receipts in excess of the amount required to retire the debt according to its terms may, subject to covenants entered into with the holders of the bonds, be pledged as security for the issuance of additional bonds if authorized by the voters. The tax for such additional bonds shall terminate within the time provided for the tax originally imposed. Upon retirement of the bonded indebtedness, any surplus tax collections which may have accumulated shall be transferred to the general funds of the municipality or county.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.
§ 6. Conduct of elections.

The General Assembly may enact laws governing the conduct of elections authorized by this Amendment. Absent the enactment of such laws, such elections shall be held, called and conducted in accordance with the laws governing elections generally. The results of such election shall be published in a newspaper of general circulation in the county or municipality (as the case may be) and any contest of such election or the tabulation of the votes therein shall be brought within thirty (30) days after such publication or shall be forever barred.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.
§ 7. Provisions self-executing.

The provisions of this Amendment shall be self-executing.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

§ 8. Taxes levied and bonds authorized prior to amendment.

Taxes levied prior to the effective date of this Amendment shall continue in force until abolished, reduced, or increased as provided by law. All bonds and other evidences of indebtedness authorized prior to the effective date of this Amendment shall be governed by the Constitutional provision and laws in effect at the time of authorization.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 62. LOCAL CAPITAL IMPROVEMENT BONDS.

§ 9. Joint project of various governing bodies - Compact agreement elections.

Whenever two or more cities of the First or Second Class, or incorporated towns, and/or one or more counties and the school districts therein, desire to join together in a combined effort to secure and develop industries within one or more of such cities, towns, counties, and share in the increased revenues estimated to be received by the city, town, or county, or school district, in which the industry or industries are to be located, they may, upon adoption by the governing bodies of each such city, town, school district, or county, enter into a compact setting forth the terms by which each of the participating cities, towns, school districts, and counties is to share in the revenues to be derived from the location of an industrial plant within the compact area through the combined efforts of the various participating cities, towns, school districts, and counties. Upon adoption of such compact by the governing bodies of the participating cities, towns, school districts, and/or counties, the county court of each of the counties involved shall cause a special election to be called within not more than forty-five (45) days from the date of the filing of such compact with the county court. At such special election, the qualified electors of each of the cities, towns, school districts, and counties shall vote on whether to approve the compact and the method of sharing in increased revenues to be derived by the city, school district, and/or county in which the proposed industry is to be located among the various participating cities, towns, counties, and school districts. The ballot at such election shall be in substantially the following form:

“FOR the establishment of an industrial development compact and the sharing of revenues to be derived from additional taxes to be generated by new industries

AGAINST the establishment of an industrial development compact and the sharing of revenues to be derived from additional taxes to be generated by new industries

Said election shall be conducted in accordance with the election laws of this

State, and the results thereof tabulated and certified to the County Clerk in the manner now provided by law. If a majority of the qualified electors voting on the question vote in favor of the creation of the compact, and the sharing of revenues to be derived from new industries located in the compact area, the said compact shall be implemented in accordance with the terms thereof. If a majority of the qualified electors voting on said issue vote against issue at said special election, no additional election on said issue may be held within one (1) year from the date of said election. The results of said election shall be proclaimed by the county court of each of the counties in which the county and/or cities and towns, or school districts, are located. The results of said election shall be conclusive unless attacked in the courts within thirty (30) days.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 63. FOUR YEAR TERMS FOR STATE CONSTITUTIONAL
OFFICERS.

§ 1. Executive Department - Term of office.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 63. FOUR YEAR TERMS FOR STATE CONSTITUTIONAL
OFFICERS.**

§ 1. Executive Department - Term of office.

The Executive Department of this State shall consist of a Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General and Commissioner of State Lands, all of whom shall keep their offices at the seat of government, and hold their offices for the term of four (4) years, and until their successors are elected and qualified.

Publisher's Notes. This amendment was proposed by initiative petition and filed in the office of the Secretary of State on July 2, 1984. It was approved at the general election on Nov. 6, 1984, by a vote of 499,083 for and 277,735 against.

This amendment probably supersedes Ark. Const., Art. 6, § 1; Ark. Const. Amend. 6, § 1; and Ark. Const. Amend. 56, § 1.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 64. [REPEALED.]

[§ 1. \[Repealed.\]](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 64. [REPEALED.]
§ 1. [Repealed.]

Publisher's Notes. This amendment was proposed by House Joint Resolution No. 6 (see Acts 1985, p. 2670) and filed in the office of the Secretary of State on Apr. 16, 1985. It was adopted at the general election on Nov. 4, 1986, by a vote of 361,115 for and 230,187 against.

Sections 1 through 18, 20 through 22, 24, 25, 32, 34 (as amended by Ark. Const. Amend. 24, § 1), 35 (as amended by Ark. Const. Amend. 24, § 2), 39, 40, 42, 44, 45 and 50 of Ark. Const., Art. 7, were repealed by Ark. Const. Amend. 80, § 22, effective July 1, 2001. Ark. Const., Art. 7, § 43 was repealed effective January 1, 2005. Ark. Const. Amend. 58, § 1, was repealed effective July 1, 2001. Ark. Const. Amend. 64, § 1, is repealed by Ark. Const. Amend. 80, § 22(E), effective January 1, 2005. Ark. Const. Amend. 77, § 1, was repealed effective July 1, 2001.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 65. REVENUE BONDS**

[§ 1. Issuance - Terms and conditions.](#)

[§ 2. Purpose of issuance.](#)

[§ 3. Definitions.](#)

[§ 4. Authority exclusive - Interest - Initiative and referendum.](#)

Publisher's Notes. This amendment was proposed by initiative petition filed in the office of the Secretary of State on July 4, 1986. It was adopted at the general election on Nov. 4, 1986, by a vote of 318,894 for and 275,877 against.

Ark. Const. Amend. 65, § 6, provided, in part, that the provisions of the amendment are self-executing.

This amendment may supersede Ark. Const., Art. 16, § 1, with respect to prohibitions against bond issuance and Ark. Const. Amends. 20 and 62, with respect to requirements for electoral approval.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 65. REVENUE BONDS
§ 1. Issuance - Terms and conditions.

Subject to the provisions of Section 2 hereof, any governmental unit, pursuant to laws heretofore or hereafter adopted by the General Assembly, may issue revenue bonds for the purpose of financing all or a portion of the costs of capital improvements of a public nature, facilities for the securing and developing of industry or agriculture, and for such other public purposes as may be authorized by the General Assembly. Such bonds may bear such terms, be issued in such manner, and be subject to such conditions, all as may be authorized by the General Assembly; and the General Assembly may, but shall not be required to, condition the issuance of such bonds upon an election.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 65. REVENUE BONDS
§ 2. Purpose of issuance.

(a) No revenue bonds shall be issued by or on behalf of any governmental unit if the primary purpose of the bonds is to loan the proceeds of the bonds, or to lease or sell the facilities financed with the proceeds of the bonds, to one or more private business users for shopping centers or other establishments engaged in the sale of food or goods at retail.

(b) No revenue bonds shall be issued by or on behalf of any governmental unit without the consent of a majority of the qualified electors voting on the question at an election held in accordance with state law if the primary purpose of the bonds is to loan the proceeds of the bonds, or to lease or sell the facilities financed with the proceeds of the bonds, to one or more private business users for hotels or motels, rental or professional office buildings, or facilities for recreation or entertainment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 65. REVENUE BONDS
§ 3. Definitions.

(a) The term "revenue bonds" as used herein shall mean all bonds, notes, certificates or other instruments or evidences of indebtedness the repayment of which is secured by rents, user fees, charges, or other revenues (other than assessments for local improvements and taxes) derived from the project or improvements financed in whole or in part by such bonds, notes, certificates or other instruments or evidences of indebtedness, from the operations of any governmental unit, or from any other special fund or source other than assessments for local improvements and taxes.

(b) The term "governmental unit" as used herein shall mean the State of Arkansas; any county, municipality, or other political subdivision of the State of Arkansas; any special assessment or taxing district established under the laws of the State of Arkansas; and any agency, board, commission, or instrumentality of any of the foregoing.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 65. REVENUE BONDS

§ 4. Authority exclusive - Interest - Initiative and referendum.

This amendment shall be the sole authority required for the authorization, issuance, sale, execution and delivery of revenue bonds authorized hereby. Nothing herein shall be construed to impair the initiative and referendum powers reserved to the people under Amendment No. 7 to the Constitution of the State of Arkansas. (Amended by Const. Amend. 89.)

Publisher's Notes. This amendment repealed Ark. Const., Art. 19, § 13 and amended Ark. Const., Amend. 30, § 5, Amend. 38, § 5, Amend. 62, § 1, Amend. 65, § 4, and Amend. 78, § 2. The amendments to those sections, effective January 1, 2011, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 of 2009 (now Amend. 89) and was adopted at the 2010 general election by a vote of 448,711 for and 250,167 against.

Prior to amendment, this section read: "This amendment shall be the sole authority required for the authorization, issuance, sale, execution and delivery of revenue bonds authorized hereby; provided, however, that the rate of interest on revenue bonds shall not exceed the maximum authorized by Amendment No. 60 to the Constitution of the State of Arkansas or any similar provision hereafter adopted. Nothing herein shall be construed to impair the initiative and referendum powers reserved to the people under Amendment No. 7 to the Constitution of the State of Arkansas."

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 66. JUDICIAL DISCIPLINE AND DISABILITY
COMMISSION

(a) Under the judicial power of the State, a Judicial Discipline and Disability Commission is established and shall be comprised of nine persons: three justices or judges, appointed by the Supreme Court; three licensed attorneys in good standing who are not justices or judges, one appointed by the Attorney General, one by the President of the Senate, and one by the Speaker of the House; and three members appointed by the Governor. The members appointed by the Governor shall not be justices or judges, retired justices or judges, or attorneys. Alternate members shall be selected and vacancies filled in the same manner.

(b) The Commission may initiate, and shall receive and investigate, complaints concerning misconduct of all justices and judges, and requests and suggestions for leave or involuntary disability retirement. Any judge or justice may voluntarily request that the Commission recommend suspension because of pending disciplinary action or leave because of a mental or physical disability. Grounds for sanctions imposed by the Commission or recommendations made by the Commission shall be violations of the professional and ethical standards governing judicial officers, conviction of a felony, or physical or mental disability that prevents the proper performance of judicial duties. Grounds for suspension, leave, or removal from office shall be determined by legislative enactment.

(c) If, after notice and hearing, the Commission by majority vote of the membership determines that grounds exist for the discipline of a judge or justice, it may reprimand or censure the judge or justice, who may appeal to the Supreme Court. The Commission may, if it determines that grounds exist, after notice and hearing, and by majority vote of the membership, recommend to the Supreme Court that a judge or justice be suspended, with or without pay, or be removed, and the Supreme court, en banc, may take such action. Under this amendment, a judge who also has executive or legislative responsibilities shall be suspended or removed only from judicial duties. In any hearing involving a Supreme Court justice, all Supreme Court justices shall be disqualified from participation.

(d) If, after notice and hearing, the Commission by majority vote of the membership determines that a judge or justice is unable because of physical or mental disability to perform the duties of office, the Commission may recommend to the Supreme Court that the judge or justice be granted leave

with pay or be retired, and the Supreme Court, en banc, may take such action. A judge or justice retired by the Supreme Court shall be considered to have retired voluntarily as provided by law.

(e) Vacancies created by suspension, the granting of leave or the removal of a judge or justice, or vacancies created by disqualification of justices, shall be filled as provided by law.

(f) The Supreme Court shall make procedural rules implementing this amendment and setting the length of terms on the Commission.

(g) This amendment is alternative to, and cumulative with, impeachment and address authorized by this Constitution.

Publisher's Notes. This amendment was proposed by Senate Joint Resolution 5 (see Acts 1987, p. 2880) and was adopted at the 1988 general election by a vote of 431,864 for and 286,699 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 67. JURISDICTION OF MATTERS RELATING TO
JUVENILES AND BASTARDY.

The General Assembly shall define jurisdiction of matters relating to juveniles (persons under eighteen (18) years of age) and matters relating to bastardy and may confer such jurisdiction upon chancery, circuit or probate courts, or upon separate divisions of such courts, or may establish separate juvenile courts upon which such jurisdiction may be conferred, and shall transfer to such courts the jurisdiction over bastardy and juvenile matters now vested in county courts by Section 28 of Article 7 of this Constitution.

Publisher's Notes. This amendment was proposed by Senate Joint Resolution 1 (see Acts 1987, p. 2878) and was adopted at the 1988 general election by a vote of 439,179 for and 258,278 against.

Amendment 80 to the Arkansas Constitution, adopted by voter referendum and effective July 1, 2001, established circuit courts as the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to the Constitution and specifically provided that "jurisdiction conferred on Circuit Courts established by this Amendment includes all matter previously cognizable by Circuit, Chancery, Probate and Juvenile Courts ".

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 68. ABORTION

[§ 1. Public funding.](#)

[§ 2. Public policy.](#)

[§ 3. Effect of amendment.](#)

Publisher's Notes. Enforcement of Amendment 68 is enjoined to the extent it prohibits the use of state funds to pay for abortions for Medicaid-eligible victims of rape or incest, for so long as federal law mandates Medicaid funding for abortions for Medicaid-eligible victims of rape or incest.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 68. ABORTION
§ 1. Public funding.

No public funds will be used to pay for any abortion, except to save the mother's life.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 68. ABORTION
§ 2. Public policy.

The policy of Arkansas is to protect the life of every unborn child from conception until birth, to the extent permitted by the Federal Constitution.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 68. ABORTION
§ 3. Effect of amendment.

This amendment will not affect contraceptives or require an appropriation of public funds.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 69. REPEAL OF AMENDMENT 44 (PROTECTION OF
STATES' RIGHTS).

Publisher's Notes. This amendment repealed Ark. Const. Amend. 44. The amendment was proposed by H.J.R. 1003 of 1989 and was adopted at the Nov. 6, 1990, general election by a vote of 273,527 for and 263,261 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL
ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE
REIMBURSEMENTS.

[§ 1. Executive Department and General Assembly - Salaries - Restrictions on reimbursements.](#)

[§ 2. Additional Constitutional amendments authorized.](#)

[§ 3. Salary adjustments.](#)

[§ 4. Effective date.](#)

[§ 5. Repeal of Amendment 56, Sections 2 and 3.](#)

Publisher's Notes. This amendment was proposed by H.J.R. 1018 and was adopted at the 1992 general election by a vote of 464,901 for and 305,161 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL
ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE
REIMBURSEMENTS.

§ 1. Executive Department and General Assembly - Salaries -
Restrictions on reimbursements.

(a) No official of the Executive Department shall be reimbursed by the State of Arkansas for any expenses except those reasonably connected to their official duties and only if such reimbursement is made for documented expenses actually incurred and from the regular budget appropriated for the official's office. Such restrictions on expense reimbursement are of a general application and also are intended specifically to prohibit the appropriation and use of public relations funds. The annual salaries of the Executive Department, which shall be paid in monthly installments, shall be as follows: the Governor, the sum of \$60,000; the Lieutenant Governor, the sum of \$29,000; the Secretary of State, the sum of \$37,500; the Treasurer of State, the sum of \$37,000; the Attorney General, the sum of \$50,000; the Commissioner of State Lands, the sum of \$37,500; and the Auditor of State, the sum of \$37,500. Except as provided herein, such officials of the Executive Department shall not receive any other income from the State of Arkansas, whether in the form of salaries or expenses.

(b) The members of the General Assembly shall receive as their annual salary the sum of \$12,500, except the President Pro Tempore of the Senate and the Speaker of the House of Representatives, who shall each receive the sum of \$14,000 annually, with such salaries to be payable in equal monthly installments. Except as provided herein, no member of the General Assembly shall receive any other income for service in the General Assembly, whether in the form of salaries or expenses, including, but not limited to, public relations funds. Provided further, that no member of the General Assembly shall be entitled to per diem unless authorized by law, or to reimbursement for expenses or mileage unless authorized by law, documented, and reasonably related to their official duties.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL
ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE
REIMBURSEMENTS.

§ 2. Additional Constitutional amendments authorized.

In addition to the three amendments to the Constitution allowed pursuant to Article 19, § 22, either branch of the General Assembly at a regular session thereof may propose an amendment to the Constitution to change the salaries for the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Commissioner of State Lands, and Auditor of State and for members of the General Assembly. If the same be agreed to by a majority of all members elected to each house, such proposed amendment shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State for approval or rejection. If a majority of the electors voting at such election adopt the amendment the same shall become a part of this Constitution. Only one amendment to the Constitution may be referred pursuant to this section.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL
ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE
REIMBURSEMENTS.

§ 3. Salary adjustments.

The salaries of the Executive Department officials and members of the General Assembly provided for in Section 1 or 2 of this amendment or adjusted pursuant to this section may be increased annually through subsequent appropriations by the General Assembly by an amount not to exceed the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two years immediately preceding the year of the salary appropriation.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL
ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE
REIMBURSEMENTS.
§ 4. Effective date.

The provisions of this amendment shall be effective on January 1, 1993.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 70. EXECUTIVE DEPARTMENT AND GENERAL
ASSEMBLY SALARIES - RESTRICTIONS ON EXPENSE
REIMBURSEMENTS.

§ 5. Repeal of Amendment 56, Sections 2 and 3.

Section 2 and Section 3 of Amendment 56 to the Arkansas Constitution are hereby repealed.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 71. PERSONAL PROPERTY TAXES.**

[§ 1. Exemption from ad valorem taxes.](#)

[§ 2. Motor vehicles - Procedures for assessment and collection.](#)

[§ 3. Supersession of Article 16, Section 5.](#)

[§ 4. Effective date.](#)

Publisher's Notes. This amendment was proposed by S.J.R. 8 and was adopted at the 1992 general election by a vote of 578, 609 for and 235, 932 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 71. PERSONAL PROPERTY TAXES.
§ 1. Exemption from ad valorem taxes.

Items of household furniture and furnishings, clothing, appliances, and other personal property used within the home, if not held for sale, rental, or other commercial or professional use, shall be exempt from all ad valorem taxes levied by any city, county, school district, or other taxing unit in this state.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 71. PERSONAL PROPERTY TAXES.

§ 2. Motor vehicles - Procedures for assessment and collection.

In addition to the method established by law for assessing and collecting real and personal property taxes, the General Assembly may establish special procedures, in lieu thereof, for the assessment and collection of annual personal property taxes on motor vehicles, owned by individuals, at the time of issuance or renewal of the registration and the license thereof. Personal property taxes collected on motor vehicles under such procedures shall be based on the assessed value of the vehicles determined at the time the tax is paid, computed at the rate of personal property taxes levied during the preceding November, in the manner provided by law, in the taxing units in which the owner of the motor vehicle resides, or in which the motor vehicle is regularly located and assessed, and the taxpayer shall not be required to pay ad valorem taxes upon such motor vehicle based on the assessment for the previous year. In no event may more than one year's personal property taxes be collected on the same vehicle in the same year. Personal property taxes collected on motor vehicles under such procedures shall be remitted to the counties in which due, for distribution, as revenues of the year in which collected, to the respective taxing units in the manner provided by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 71. PERSONAL PROPERTY TAXES.
§ 3. Supersession of Article 16, Section 5.

The provisions of this amendment shall be in lieu of those provisions of Article 16, Section 5 of the Constitution of the State of Arkansas relating to the assessment and taxation of tangible personal property.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 71. PERSONAL PROPERTY TAXES.
§ 4. Effective date.

This amendment shall be in effect from and after January 1, 1993.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 72. CITY AND COUNTY LIBRARY AMENDMENT (CONST. AMENDS. 30 AND 38, §§ 1 AND 3, AMENDED, CONST. AMENDS. 30 AND 38, § 5, ADDED).

Publisher's Notes. This amendment amended Ark. Const. Amend. 30, §§ 1, and 3, added Ark. Const. Amend. 30, § 5, amended Ark. Const. Amend. 38, §§ 1, and 3 and added Ark. Const. Amend. 38, § 5. The amendments to those sections are incorporated within those sections. The amendment was proposed by H.J.R. 1006 and was adopted at the 1992 general election by a vote of 471,325 for and 325,160 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT**

[§ 1. Executive Branch.](#)

[§ 2. Legislative Branch.](#)

[§ 3. Congressional Delegation.](#)

[§ 4. Severability.](#)

[§ 5. Provisions Self-executing.](#)

[§ 6. Application.](#)

Preamble: The people of Arkansas find and declare that elected officials who remain in office too long become preoccupied with reelection and ignore their duties as representatives of the people. Entrenched incumbency has reduced voter participation and has led to an electoral system that is less free, less competitive, and less representative than the system established by the Founding Fathers. Therefore, the people of Arkansas, exercising their reserved powers, herein limit the terms of elected officials.

Publisher's Notes. This amendment was proposed by initiative petition and approved at the 1992 general election by a vote of 494,326 for and 330,836 against.

Section 3 of this amendment was declared unconstitutional in U.S. Term Limits, Inc. v. Hill, 316 Ark. 251, 872 S.W.2d 349 (1994).

Section 3 of this Amendment has been amended by Ark. Const. Amend. 76.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT
§ 1. Executive Branch.

(a) The Executive Department of this State shall consist of a Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, all of whom shall keep their offices at the seat of government, and hold their offices for the term of four years, and until their successors are elected and qualified.

(b) No elected officials of the Executive Department of this State may serve in the same office more than two such four year terms.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT
§ 2. Legislative Branch.

(a) The Arkansas House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties. No member of the Arkansas House of Representatives may serve more than three such two year terms.

(b) The Arkansas Senate shall consist of members to be chosen every four years by the qualified electors of the several districts. No member of the Arkansas Senate may serve more than two such four year terms.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT
§ 3. Congressional Delegation.

(a) Any person having been elected to three or more terms as a member of the United States House of Representatives from Arkansas shall not be certified as a candidate and shall not be eligible to have his/her name placed on the ballot for election to the United States House of Representatives from Arkansas.

(b) Any person having been elected to two or more terms as a member of the United States Senate from Arkansas shall not be certified as a candidate and shall not be eligible to have his/her name placed on the ballot for election to the United States Senate from Arkansas.

Publisher's Notes. This section was declared unconstitutional in U.S. Term Limits, Inc. v. Hill, 316 Ark. 251, 872 S.W.2d 349 (1994).

This section has been amended by Ark. Const. Amend. 76.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT
§ 4. Severability.

The provisions of this Amendment are severable, and if any should be held invalid, the remainder shall stand.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT
§ 5. Provisions Self-executing.

Provisions of this Amendment shall be self-executing.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 73. ARKANSAS TERM LIMITATION AMENDMENT
§ 6. Application.

(a) This Amendment to the Arkansas Constitution shall take effect and be in operation on January 1, 1993, and its provisions shall be applicable to all person thereafter seeking election to the offices specified in this Amendment.

(b) All laws and constitutional provisions which conflict with this Amendment are hereby repealed to the extent that they conflict with this amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 74. SCHOOL TAX - BUDGET - APPROVAL OF TAX RATE
(CONST., ART. 14, § 3, AS AMENDED BY CONST. AMEND. 11
AND CONST. AMEND. 40, AMENDED)

Publisher's Notes. This amendment amended Ark. Const., Art. 14, § 3, and is incorporated within. This amendment was proposed by S.J.R. 10 of 1995 and was adopted at the general election on November 5, 1996, and approved by a vote of 407,719 for and 378,017 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 75. [ENVIRONMENTAL ENHANCEMENT FUNDS].

[§ 1. Statement of purpose.](#)

[§ 2. \[Excise tax levied\]](#)

[§ 3. Use of proceeds.](#)

[§ 4. \[Administrative procedures\]](#)

Publisher's Notes. This amendment was adopted at the general election on November 5, 1996, and approved by a vote of 405,216 for and 396,932 against.

The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 75. [ENVIRONMENTAL ENHANCEMENT FUNDS].

§ 1. Statement of purpose.

The people of the State of Arkansas find that fish, wildlife, parks, tourism and natural heritage constitute a major economic and natural resource of the state and they desire to provide additional funds to the Arkansas Game and Fish Commission, the Department of Parks and Tourism, the Department of Heritage and Keep Arkansas Beautiful.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 75. [ENVIRONMENTAL ENHANCEMENT FUNDS].
§ 2. [Excise tax levied]

(a) There is hereby levied an additional excise tax of one-eighth of one percent (1/8 of 1%) upon all taxable sales of property and services subject to the tax levied by the Arkansas Gross Receipts Act (Arkansas Code § 26-52-101 et seq.), and such tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting and payment of all other Arkansas gross receipts taxes.

(b) There is hereby levied an additional excise tax of one-eighth of one percent (1/8 of 1%) upon all tangible personal property subject to the tax levied by the Arkansas Compensating Tax Act (Arkansas Code § 26-53-101 et seq.), and such tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting and payment of Arkansas compensating taxes.

Publisher's Notes. The bracketed section heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 75. [ENVIRONMENTAL ENHANCEMENT FUNDS].

§ 3. Use of proceeds.

(a) Notwithstanding any provision of Amendment 35 or any other provision of the Arkansas Constitution to the contrary, forty-five percent (45%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Game Protection Fund to be used exclusively by the Arkansas Game and Fish Commission, as appropriated by the General Assembly.

(b) Forty-five percent (45%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Department of Parks and Tourism Fund Account to be used by the Department of Parks and Tourism for state park purposes, as appropriated by the General Assembly.

(c) Nine percent (9%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Arkansas Department of Heritage Fund Account to be used exclusively by the Department of Heritage as appropriated by the General Assembly.

(d) One percent (1%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Keep Arkansas Beautiful Fund Account, which is hereby created on the books of the State Treasurer, State Auditor and the Chief Fiscal Officer of the State, to be used exclusively by Keep Arkansas Beautiful, as appropriated by the General Assembly.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 75. [ENVIRONMENTAL ENHANCEMENT FUNDS].
§ 4. [Administrative procedures]

(a) The General Assembly shall provide for the proper administration and enforcement of this amendment by law.

(b) Unless the General Assembly provides another procedure by law, the provisions of the Arkansas Tax Procedure Act, Sections 26-18-101 et seq., shall so far as practicable be applicable to the tax levied by this amendment and the reporting, remitting and enforcement of the tax.

Publisher's Notes. The bracketed section heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 76. THE CONGRESSIONAL TERM LIMITS AMENDMENT
OF 1996 (CONST. AMEND. 73, § 3, AMENDED).**

[§ 1. Congressional Delegation \(Const. Amend. 73, § 3 amended\).](#)

Publisher's Notes. This amendment has been declared unconstitutional by the Arkansas Supreme Court.

This amendment was adopted at the general election on November 5, 1996, and approved by a vote of 448,938 for and 284,499 against.

This amendment contained a preamble which read:

“Whereas career politicians dominating Congress have a conflict of interest that prevents them from enacting meaningful term limits and making Congress what the founders intended, the branch of government most responsive to the electorate; and

“Whereas career politicians, while refusing to heed the desire of the people for meaningful term limits, amassed a nearly five trillion dollar national debt by not only voting year after year to spend far more than they have taken in, but also by voting to increase dramatically their own pay, and also providing lavish pensions from themselves and granting themselves numerous other privileges at the expense of the people; and

“Whereas such irresponsible actions on the part of career politicians have mortgaged the future of not only every American citizen, but also their children and grandchildren; and

“Whereas the abuse of power, the corruption, and the appearance of corruption brought about by political careerism is ultimately destructive to representative government by making Congress increasingly distant from the people; and

“Whereas the President of the United States is limited to two terms in office by the 22nd Amendment to the United States Constitution, and governors in forty (40) states are limited by those states' laws to two terms or less; and

“Whereas voters have established term limits for more than 2,000 state

legislators, as well as more than 17,000 local officials across the nation, including state legislators and statewide elective officeholders in Arkansas; and

“Whereas in 1992, the people of the State of Arkansas enacted, by an overwhelming majority, an amendment to the State Constitution limiting service in the United States House of Representatives to three terms and in the United States Senate to two terms, and which state-imposed Congressional Term Limits were ruled unconstitutional by the United States Supreme Court; and

“Whereas the United States Congress has ignored the desire of the people for meaningful term limits by refusing to submit to the states for ratification and amendment instituting Congressional Term Limits, and by proposing exceedingly long limits for its own members; and

“Whereas it is the people themselves, not the United States Congress, who have in the past by majority vote, and should in the future set limits for the terms of Congressional offices; and

“Whereas the people have a sovereign right and a compelling interest in the creation and preservation of a citizen Congress that will more effectively protect the freedom and prosperity of the people, which interest and right may not be as effectively served in any way other than that proposed by this amendment to the Arkansas State Constitution; and

“Whereas with foresight and wisdom our founders, under Article V of the United States Constitution, did provide the people with a procedure by which to overcome Congressional self-interest, by which procedure the people of the several states may call a convention to propose amendments to the United States Constitution when two-thirds or thirty-four (34) states expressly call for a convention; and

“Whereas amendments proposed by such a convention would become a part of the United States Constitution upon the ratification of three-fourths of the states (38); and

“Whereas the people of the State of Arkansas desire to amend the United States Constitution to establish term limits on Congress to ensure representation in Congress by true citizen lawmakers;

“THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE STATE OF ARKANSAS:”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 76. THE CONGRESSIONAL TERM LIMITS AMENDMENT
OF 1996 (CONST. AMEND. 73, § 3, AMENDED).**

**§ 1. Congressional Delegation (Const. Amend. 73, § 3
amended).**

Section 3 of Amendment 73 to the Arkansas Constitution is hereby amended to add to the current language the following subsections:

(c) The foregoing provisions in sections (a) and (b) shall be revived upon passage of appropriate federal laws.

(d) It is the official position of the people of the State of Arkansas that all of our elected officials should vote to enact, by amendment to the United States Constitution, term limits for members of the United States Congress that are not longer than: three (3) two-year terms in the United States House of Representatives, nor two (2) six-year terms in the United States Senate, respectively.

(e) It is the will of the people of the State of Arkansas that the following amendment be added to the United States Constitution:

"Congressional Term Limits Amendment

"Section A. No person shall serve in the office of United States Representative for more than three terms, but upon ratification of the Congressional Term Limits Amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

"Section B. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of the Congressional Term Limits Amendment no person who has held the office of United States Senator or who then holds the office shall serve more than one additional term.

"Section C. This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several states.[""]

(f) (1) As provided in this subsection, and in subsections (h) and (j) of this section, at each primary, special, and general election for the office of United

States Representative, United States Senator, or any state legislator, the ballot shall inform voters regarding any incumbent and non-incumbent candidate's failure to support "The Congressional Term Limits Amendment" proposed above.

(g) Each member of the Arkansas Delegation to the United States Congress is hereby instructed to use all of the powers of the Congressional office to pass the Congressional Term Limits Amendment set forth in subsection (e) above.

(h) All primary, general, and special election ballots shall have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" printed adjacent to the name of any United States Representative or United States Senator who:

(1) Failed to vote in favor of the Congressional Term Limits Amendment proposed in subsection (e) when brought to any vote;

(2) Failed to second the Congressional Term Limits Amendment proposed in subsection (e) if it lacked for a second before any proceeding of the legislative body;

(3) Failed to propose or otherwise bring to a vote of the full legislative body the Congressional Term Limits Amendment proposed in subsection (e) above if it otherwise lacked a legislator who so proposed or brought to a vote of the full legislative body the Congressional Term Limits Amendment proposed in subsection (e) above; or

(4) Failed to vote in favor of discharging the Congressional Term Limits Amendment proposed in subsection (e) before any committee or subcommittee upon which the Legislator served in the respective legislative body; or

(5) Failed to vote against or reject any attempt to delay, table, or otherwise prevent a vote by the full legislative body on the Congressional Term Limits Amendment set forth in subsection (e); or

(6) Failed to vote against any term limits proposal with terms longer than those set forth in the Congressional Term Limits Amendment proposed in subsection (e); or

(7) Sponsored or co-sponsored any proposed constitutional amendment or law that proposes term limits longer than those in the Congressional Term Limits Amendment set forth in subsection (e); or

(8) Failed to ensure that all legislative votes on Congressional Term Limits were recorded and made available to the public.

(i) The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" shall not appear adjacent to the names of candidates for Congress if the Congressional Term Limits Amendment set forth in subsection (e) is before the states for ratification or has become a part of the United States Constitution.

(j) Notwithstanding any other provision of Arkansas law:

(1) A non-incumbent candidate for the office of United States Representative, United States Senator, State Representative, or State Senator, shall be permitted to sign a "Term Limits Pledge" each time the non-incumbent files as a candidate for such an office. A candidate who declines to sign the "Term Limits Pledge" shall have "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed adjacent to the candidate's name on the election ballot;

(2) Each time a non-incumbent candidate for United States Senator, United States Representative, State Senator, or State Representative files for candidacy for those offices, the candidate shall be offered the "Term Limits Pledge" until the United States Constitution has been amended to limit United States Senators to two terms in office and United States Representative to three terms in office;

(3) The "Term Limits Pledge" that each non-incumbent candidate for state and federal legislative offices shall be offered is as follows:

"I support Congressional Term Limits and pledge to use all of my legislative powers to enact the proposed Congressional Term Limits Amendment set forth in the United States Congressional Term Limits Amendment of 1996. If elected, I pledge to act and to vote in such a way that the information DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS will not appear next to my name."

The pledge form will provide a space for the signature of the candidate and the date of the signature.

(k) The House of Representatives of the State of Arkansas, and the Arkansas Senate, due to the desire of the people of the State of Arkansas to establish term limits for the Congress of the United States, are hereby instructed to make the following application to the United States Congress, pursuant to their powers under Article V of the United States Constitution, to wit:

"We, the people and the legislature of the State of Arkansas, due to our desire to establish term limits on the members of the Congress of the United States, hereby make application to the United States Congress, pursuant to our power under Article V of the United States Constitution, to call a convention for proposing amendments to the Constitution."

(l) Each state legislator is hereby instructed to use all powers delegated to each legislator to pass the Article V application to the United States Congress set forth in subsection (k) above, and to ratify, if proposed, the Congressional Term Limits Amendment set forth above.

(m) Notwithstanding any other provision of Arkansas Law:

(1) All primary, general, and special election ballots shall have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" printed adjacent to the name of any State Senator or State Representative who:

(A) Failed to vote in favor of the application set forth in subsection (k) above when brought to a vote; or

(B) Failed to second the application set forth in subsection (k) above if it lacked a second; or

(C) Failed to vote in favor of all votes bringing the application set forth in subsection (k) above before any committee or subcommittee upon which the legislator served; or

(D) Failed to propose or otherwise bring to a vote of the full legislative body the application set forth in subsection (k) if it otherwise lacked a legislator who so proposed or brought to a vote of the full legislative body the application set forth above; or

(E) Failed to vote against any attempt to delay, table, or otherwise prevent a vote by the full legislative body on the application set forth in subsection (k) above; or

(F) Failed in any way to ensure that all votes on the application set forth in subsection (k) were recorded and made available to the public; or

(G) Failed to vote against any change, addition, or modification to the application set forth in subsection (k) above; or

(H) Failed to attend a hearing, session, or vote of the legislative body concerning any aspect of consideration of the proposals in subsection (e) and subsection (k) above, where such failure to attend resulted in any failure to obtain a quorum sufficient to conduct business; or

(I) Failed to move for, second, or vote in favor of a roll-call vote on any aspect of consideration of the proposals in subsection (e) and subsection (k) above, where such failure resulted in the defeat of any aspect of subsection (e) and subsection (k) above, without recording the votes of individual legislators to

be held accountable at a later time.

(J) Failed to vote against any effort to rescind the application.

(K) Failed to vote in favor of the amendment set forth in subsection (e) above, when the amendment was sent to the states for ratification; or

(L) Failed to vote against any term limits amendment with terms longer than the limits set forth in the proposed amendment in subsection (e) above, when such an amendment is sent [sic] to the states for ratification.

(2) The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" as required by any of subsection (1)(A) through (1)(J) shall not appear adjacent to the names of the candidates for the state legislature if the State of Arkansas has made application to Congress for a convention for proposing amendments to the United States Constitution pursuant to this amendment and such application is currently effective, has not been withdrawn, and has not expired.

(3) The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" as required by either of subsections (1)(K) or (1)(L) shall not appear adjacent to the names of the candidates for the state legislature if: The Congressional Term Limits Amendment set forth above has been submitted to the states for ratification and ratified by the Arkansas Legislature; or the Congressional Term Limits Amendment set forth and proposed in subsection (e) has become a part of the United States Constitution.

(n) (1) The Secretary of State of the State of Arkansas shall be responsible for making an accurate determination as to whether a candidate for state or federal legislative office shall have placed next to the candidate's name on the election ballot the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or the information "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" and for certifying the appropriate indication to the appropriate county clerks and other appropriate voting officials.

(2) The Secretary of State, in accordance with subsection (1) of this subsection, shall be responsible for making an accurate determination from any reliable source.

(3) The Secretary of State shall consider timely submitted public comments prior to making the determination required in subsection (1) of this section.

(4) The Secretary of State, in accordance with subsections (1), (2), and (3) of this subsection shall determine and declare what information, if any, shall appear adjacent to the names of each incumbent state and federal legislator if the incumbent were to be a candidate in the next general election and shall

certify such information to the appropriate county clerks and other appropriate voting officials.

In the case of United States Representatives and United States Senators, this determination, declaration, and certification shall be made in a fashion necessary to ensure orderly printing of primary and general election ballots with allowance made for all legal action provided in subsections (5), (6) and (7), below, and shall be based upon each Congressional member's actions during their current term of office and any actions taken in any concluded term, if such action was taken after the determination and declaration was made by the Secretary of State previously.

In the case of incumbent state legislators, this determination and declaration shall be made not later than thirty (30) days after the end of the regular session following each general election, and shall be based upon legislative action in the previous regular session or any action taken in any special session in the previous four (4) years, but in no event upon any actions taken before the adoption of this amendment.

The Secretary of State shall provide official notification to the incumbents by certified mail and to the public by official media statement and legal publication in a newspaper of statewide circulation at least two separate times prior to the election, in accordance with the time frames set forth herein.

(5) The Secretary of State shall determine, declare, and certify what information, if any, shall appear adjacent to the names of non-incumbent candidates for state and federal legislator, not later than five (5) business days after the deadline for filing for the office. The Secretary of State shall provide official notification to the candidate by certified mail and to the public by official media statement and legal publication in a newspaper of statewide circulation at least two separate times prior to the election, in accordance with the time frames set forth herein.

(6) If the Secretary of State makes the determination that the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" OR "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" shall not be certified for placement on the ballot adjacent to the name of a candidate for senator or representative for state or federal office, any candidate or elector may appeal such decision to the Arkansas Supreme Court as an original action within five (5) business days after the second official newspaper publication of the determination by the Secretary of State or shall waive any right to appeal such decision. The burden of proof shall be upon the Secretary of State to demonstrate by clear and convincing evidence that the candidate has met the requirements set forth in this act and therefore should not have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the candidate's name.

(7) If the Secretary of State determines that the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" OR "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" shall be certified for placement on the ballot adjacent to a candidate's name for a senator or representative for state or federal office, the candidate may appeal such decision to the Arkansas Supreme Court as an original action within five (5) business days after receipt of notification or shall waive any right to appeal such decision. The burden of proof shall be upon the candidate to demonstrate by clear and convincing evidence that the candidate should not have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" or "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed on the ballot adjacent to the candidate's name.

(o) The Arkansas Supreme Court shall hear the appeal provided for in subsections (n)(6) and (n)(7) of this section, on an expedited basis as the first priority among any Supreme Court case, and shall issue its decision on an expedited basis before any other civil appeals are resolved after submission of the matter to the Arkansas Supreme Court. Failure of the Arkansas Supreme Court to render a timely decision will require the Secretary of State to certify the challenged language for placement on the ballot next to the candidate's name.

(p) At such time as the congressional Term Limits Amendment set forth in subsection (e) has become a part of the United States Constitution, subsections (e) through (o) of this amendment automatically shall be repealed.

(q) Repealer. All laws in conflict with the foregoing are hereby repealed.

(r) Severability. If any portion, clause, or phrase of this Amendment is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected, but shall remain in full force and effect.

Publisher's Notes. The bracketed closing quotation marks at the end of subsection (e) were added by the Publisher.

This Amendment has been declared unconstitutional by the Arkansas Supreme Court.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 77. [SPECIAL JUDGES (ARK. CONST. ART 7, §§ 9, 21,
22, REPEALED)].

[§ 1. \[Repealed.\]](#)

[§ 2. \[Circuit, chancery, and probate judges\].](#)

[§ 3. \[Repeal of Ark. Const., Art. 7, §§ 9, 21, 22\].](#)

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment was adopted at the November 1998 general election and approved by a vote of 296,137 for and 285,305 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 77. [SPECIAL JUDGES (ARK. CONST. ART 7, §§ 9, 21,
22, REPEALED)].
§ 1. [Repealed.]

Publisher's Notes. This section, concerning Supreme Court Justices, was repealed by Ark. Const. Amend. 80, § 22(F), effective July 1, 2001.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 77. [SPECIAL JUDGES (ARK. CONST. ART 7, §§ 9, 21,
22, REPEALED)].

§ 2. [Circuit, chancery, and probate judges].

Circuit, chancery, and probate judges may temporarily exchange circuits by joint order. Any circuit, chancery, or probate judge who consents may be assigned to another circuit for temporary service under rules prescribed by the Supreme Court.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 77. [SPECIAL JUDGES (ARK. CONST. ART 7, §§ 9, 21,
22, REPEALED)].

§ 3. [Repeal of Ark. Const., Art. 7, §§ 9, 21, 22].

Article 7, Section 9, 21, and 22 are hereby repealed.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 78. [CITY AND COUNTY GOVERNMENT
REDEVELOPMENT]**

§ 1. Redevelopment Projects.

§ 2. [Short-term financing obligations].

§ 3. [Scope of authority to incur debt].

Publisher's Notes. This amendment, from H.J.R. 1016 of 1999, was adopted at the November 2000 general election and approved by a vote of 427,407 for and 355,943 against.

This amendment was designated as Amendment 78 by the Secretary of State, and was known as Amendment No. 1 on the general election ballot for 2000:

"The City and County Government Redevelopment Bond and Short Term Financing Amendment." The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 78. [CITY AND COUNTY GOVERNMENT
REDEVELOPMENT]

§ 1. Redevelopment Projects.

(a) Any city or county may form a redevelopment district for the purpose of financing one (1) or more redevelopment projects within the district.

(b) A city or county which has formed a redevelopment district may issue bonds for the purpose of financing capital improvements for redevelopment projects within the district. The bonds may be secured by and be payable from all or a portion of the division of ad valorem taxes in the district provided for in (d) below. The bonds shall not be considered in calculating debt limits for bonds issued pursuant to Article XII, Section 4, of the Arkansas Constitution and shall not be subject to the provisions of Article XVI, Section 1 of the Arkansas Constitution or Amendments 62 or 65 to the Arkansas Constitution.

(c) For purposes of this section, the term "redevelopment project" means an undertaking for eliminating, or preventing the development or spread of, slums or blighted, deteriorated, or deteriorating areas, for discouraging the loss of commerce, industry, or employment, or for increasing employment, or any combination thereof, as may be defined by the General Assembly.

(d) The General Assembly may provide that the ad valorem taxes levied by any taxing unit, in which is located all or part of an area included in a redevelopment district, may be divided so that all or part of the ad valorem taxes levied against any increase in the assessed value of property in the area obtaining after the effective date of the ordinance approving the redevelopment plan for the district shall be used to pay any indebtedness incurred for the redevelopment project; provided, however, there shall be excluded from the division all ad valorem taxes for debt service approved by voters in a taxing unit prior to the effective date of this amendment.

(e) After the effective date of an ordinance approving the redevelopment plan for the district, no increase in the assessed value of property in a redevelopment district shall be taken into account for purposes of calculating increases in the aggregate value of taxable real and personal property in a taxing unit pursuant to Article XVI, Section 14 of the Arkansas Constitution.

(f) Any provision of the Constitution of the State of Arkansas in conflict with this section is repealed insofar as it is in conflict with this amendment.

(g) The General Assembly shall provide for the implementation of this section by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 78. [CITY AND COUNTY GOVERNMENT
REDEVELOPMENT]

§ 2. [Short-term financing obligations].

(a) For the purpose of acquiring, constructing, installing or renting real property or tangible personal property having an expected useful life of more than one (1) year, municipalities and counties may incur short-term financing obligations maturing over a period of, or having a term, not to exceed five (5) years. Such obligations may bear interest.

(b) As used here:

(1) "Short-term financing obligation" means a debt, a note, an installment purchase agreement, a lease, a lease-purchase contract, or any other similar agreement, whether secured or unsecured; provided, that the obligation shall mature over a period of, or have a term, not to exceed five (5) years.

(c) The provisions of this section shall be self-executing. (Amended by Const. Amend. 89.)

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment repealed Ark. Const., Art. 19, § 13 and amended Ark. Const., Amend. 30, § 5, Amend. 38, § 5, Amend. 62, § 1, Amend. 65, § 4, and Amend. 78, § 2. The amendments to those sections, effective January 1, 2011, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 (now Amend. 89) and was adopted at the 2010 general election by a vote of 448,711 for and 250,167 against.

Prior to amendment, this section read:

"(a) For the purpose of acquiring, constructing, installing or renting real property or tangible personal property having an expected useful life of more than one (1) year, municipalities and counties may incur short-term financing obligations maturing over a period of, or having a term, not to exceed five (5) years. Such obligations may bear interest at either:

"(1) a fixed rate throughout the term thereof, including a fixed interest rate which is to be determined by reference to an index or other formula, but not to

exceed the maximum lawful rate of interest for fixed rate obligations, or

“(2) a rate which may vary at such times and under such circumstances as the parties may agree, whether or not the interest rate in fact varies, but not to exceed the maximum lawful rate of interest for variable rate obligations. The maximum lawful rate of interest for fixed rate obligations is the formula rate in effect on the date the obligation is incurred, regardless of when such interest is to begin to accrue. The maximum lawful rate of interest for variable rate obligations is the formula rate in effect on the date such interest accrues. The aggregate principal amount of short-term financing obligations incurred by a municipality or a county pursuant to this section shall not exceed five percent (5%) of the assessed value of taxable property located within the municipality or two and one half percent (2.5%) of the assessed value of taxable property located within the county, as determined by the last tax assessment completed before the last obligation was incurred by the city or county. The total annual principal and interest payments in each fiscal year on all outstanding obligations of a municipality or a county pursuant to this section shall be charged against and paid from the general revenues for such fiscal year, which may include road fund revenues. Tax revenues earmarked for solid waste disposal purposes may be used to pay printing and other costs associated with bonds issued under this amendment for solid waste disposal purposes.

“(b) As used here:

“(1) “Short-term financing obligation” means a debt, a note, an installment purchase agreement, a lease, a lease-purchase contract, or any other similar agreement, whether secured or unsecured; provided, that the obligation shall mature over a period of, or have a term, not to exceed five (5) years;

“(2) “Formula rate” means that rate of interest which is five percentage points (5%) above the equivalent bond yield of one year United States Treasury Bills offered by the United States Treasury at the last auction during the immediately preceding calendar quarter, calculated by rounding up to the nearest one-fourth of one percentage point (0.25%) (unless the equivalent bond yield is already by a multiple of one-fourth of one percentage point), and announced by the State Bank Commissioner (or such successor official who may be performing substantially the same duties) from information available from the Federal Reserve System of the United States. The calculation of the formula rate shall be made on or before the tenth (10th) day of each calendar quarter. The formula rate so calculated shall be effective on the eleventh (11th) day of the calendar quarter and shall continue in effect until the formula rate for the succeeding calendar quarter shall have been calculated and becomes effective. If, for any reason, the United States ceases to issue one year Treasury Bills, such calculation shall be made using a debt instrument of the United States having substantially the same general character and maturity. The calculation and announcement of the formula rate by the State

Bank Commissioner shall be final.

“(c) The provisions of this section shall be self-executing.”

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 78. [CITY AND COUNTY GOVERNMENT
REDEVELOPMENT]

§ 3. [Scope of authority to incur debt].

The authority conferred by this amendment shall be in addition to the authority of municipalities and counties to issue bonds and other debt obligations pursuant to Amendments 62, 65, and 72, and other provisions of the Constitution and laws of the state.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 79. [PROPERTY TAX RELIEF].**

[§ 1. \[Assessing value of real property\].](#)

[§ 2. \[Effect of county-wide reappraisal - Public utility and carrier exception\].](#)

[§ 3. \[Annual state credit\].](#)

[§ 4. \[Income adjustments - Personal property millage rate - Uniform property tax rate requirement - Reassessment - Rollback adjustments\].](#)

Publisher's Notes. This amendment was adopted at the November 2000 general election and approved by a vote of 502,882 for and 306,830 against.

This amendment was designated as Amendment 79 by the Secretary of State and was known as Amendment No. 2 on the general election ballot for 2000:

“An amendment to limit the increase in the assessed value of a taxpayer's real property after a countywide reappraisal and to require a property tax credit of at least three hundred dollars (\$300) on homestead property.” The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 79. [PROPERTY TAX RELIEF].
§ 1. [Assessing value of real property].

(a) After each county-wide reappraisal, as defined by law, and the resulting assessed value of property for ad valorem tax purposes and after each Tax Division appraisal and the resulting assessed value of utility and carrier real property for ad valorem tax purposes, the county assessor, or other official or officials designated by law, shall compare the assessed value of each parcel of real property reappraised or reassessed to the prior year's assessed value. If the assessed value of the parcel increased, then the assessed value of the parcel shall be adjusted pursuant to this section.

(b) (1) If the parcel is not a taxpayer's homestead used as the taxpayer's principal place of residence, then for the first assessment following reappraisal, any increase in the assessed value of the parcel shall be limited to not more than ten percent (10%) of the assessed value of the parcel for the previous year. In each year thereafter the assessed value shall increase by an additional ten percent (10%) of the assessed value of the parcel for the year prior to the first assessment that resulted from reappraisal but shall not exceed the assessed value determined by the reappraisal prior to adjustment under this subsection. For utility and carrier real property, any annual increase in the assessed value of the parcel shall be limited to not more than ten percent (10%) of the assessed value for the previous year.

(2) This subsection (b) does not apply to newly discovered real property, new construction, or to substantial improvements to real property.

(c) (1) Except as provided in subsection (d), if the parcel is a taxpayer's homestead used as the taxpayer's principal place of residence then for the first assessment following reappraisal, any increase in the assessed value of the parcel shall be limited to not more than five percent (5%) of the assessed value of the parcel for the previous year. In each year thereafter the assessed value shall increase by an additional five percent (5%) of the assessed value of the parcel for the year prior to the first assessment that resulted from reappraisal but shall not exceed the assessed value determined by the reappraisal prior to adjustment under this subsection.

(2) This subsection (c) does not apply to newly discovered real property, new construction, or to substantial improvements to real property.

(d) (1) (A) A homestead used as the taxpayer's principal place of residence purchased or constructed on or after January 1, 2001 by a disabled person or by a person sixty-five (65) years of age or older shall be assessed thereafter based on the lower of the assessed value as of the date of purchase or construction or a later assessed value.

(B) When a person becomes disabled or reaches sixty-five (65) years of age on or after January 1, 2001, that person's homestead used as the taxpayer's principal place of residence shall thereafter be assessed based on the lower of the assessed value on the person's sixty-fifth birthday, on the date the person becomes disabled or a later assessed value.

(C) If a person is disabled or is at least sixty-five (65) years of age and owns a homestead used as the taxpayer's principal place of residence on January 1, 2001, the homestead shall be assessed based on the lower of the assessed value on January 1, 2001 or a later assessed value.

(2) Residing in a nursing home shall not disqualify a person from the benefits of this subsection (d).

(3) In instances of joint ownership, if one of the owners qualifies under this subsection (d), all owners shall receive the benefits of this amendment.

(4) This subsection (d) does not apply to substantial improvements to real property.

(5) For real property that is subject to Section 2 of this Amendment in lieu of January 1, 2001, the applicable date for this subsection (d) shall be January 1 of the year following the completion of the adjustments to assessed value required by Section 2.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 79. [PROPERTY TAX RELIEF].

§ 2. [Effect of county-wide reappraisal - Public utility and carrier exception].

(a) (1) Section 1 of this Amendment shall not be applicable to a county in which there has been no county-wide reappraisal, as defined by law, and resulting assessed value of property between January 1, 1986 and December 31, 2000. Real property in such a county shall be adjusted according to the provisions of this section.

(2) Upon the completion of the adjustments to assessed value required by this section each taxpayer of that county shall be entitled to apply the provision of Section 1 of this Amendment to the real property owned by them.

(b) The county assessor, or other official or officials designated by law, shall compare the assessed value of each parcel of real property to the prior year's assessed value. If assessed value of the parcel increased, then the assessed value of the parcel for the first assessment resulting from reappraisal shall be adjusted by adding one-third (1/3) of the increase to the assessed value of the parcel for the previous year. An additional one-third (1/3) of the increase shall be added in each of the next two (2) years. This adjustment procedure shall not apply to public utility and carrier property. Public utility and carrier property shall be adjusted pursuant to Section 1.

(c) No adjustment shall be made for newly discovered real property, new construction, or to substantial improvements to real property.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 79. [PROPERTY TAX RELIEF].
§ 3. [Annual state credit].

The General Assembly shall provide by law for an annual state credit against ad valorem property tax on a homestead in an amount of not less than three hundred dollars (\$300). The credit shall not exceed the amount of ad valorem property taxes owed. The credit shall apply beginning for taxes due in calendar year 2001. This section shall be applied in a manner that would not impair a bond holder's interest in ad valorem debt service revenues.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 79. [PROPERTY TAX RELIEF].

**§ 4. [Income adjustments - Personal property millage rate -
Uniform property tax rate requirement - Reassessment -
Rollback adjustments].**

(a) The General Assembly shall, by law, provide for procedures to be followed with respect to adjusting ad valorem taxes or millage pledged for bonded indebtedness purposes, to assure that the tax or millage levied for bonded indebtedness purposes will, at all times, provide a level of income sufficient to meet the current requirements of all principal, interest, paying agent fees, reserves, and other requirements of the bond indenture.

(b) The millage rate levied against taxable personal property and utility and regulated carrier property in each taxing unit in the state shall be equal to the millage rate levied against real property in each taxing unit in the state. Personal property millage rates currently not equal to real estate millage rates shall be reduced to the level of the real estate millage rate; except to the extent necessary to provide a level of income sufficient to meet the current requirements of all principal, interest, paying agent fees, reserves, and other requirements of the bond indenture.

(c) The provisions of this section shall not affect or repeal the required uniform rate of ad valorem property tax set forth in Amendment 74.

(d) The General Assembly may, by law, prescribe the method and means for reassessing real property and establish the frequency of reassessment. However, reassessment shall occur at least once every five (5) years.

(e) Rollback adjustments under Article 16, Section 14 shall be determined after the adjustments are made to assessed value under this Amendment.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

[§ 1. Judicial power.](#)

[§ 2. Supreme Court.](#)

[§ 3. Rules of pleading, practice, and procedure.](#)

[§ 4. Superintending control.](#)

[§ 5. Court of Appeals.](#)

[§ 6. Circuit courts.](#)

[§ 7. District courts.](#)

[§ 8. Referees, masters and magistrates.](#)

[§ 9. Annulment or amendment of rules.](#)

[§ 10. Jurisdiction, venue, circuits, districts and number of judges.](#)

[§ 11. Right of appeal.](#)

[§ 12. Temporary disqualification of justices or judges.](#)

[§ 13. Assignment of special and retired judges.](#)

[§ 14. Prohibition of practice of law.](#)

[§ 15. Prohibition of candidacy for non-judicial office.](#)

[§ 16. Qualifications and terms of justices and judges.](#)

[§ 17. Election of circuit and district judges.](#)

[§ 18. Election of Supreme Court Justices and Court of Appeals Judges.](#)

[§ 19. Transition provisions, tenure of present justices and judges, and jurisdiction of present courts.](#)

[§ 20. Prosecuting attorneys.](#)

[§ 21. Effective date.](#)

[§ 22. Repealer.](#)

Publisher's Notes. This amendment was adopted at the November 2000 general election and approved by a vote of 431,137 for and 323,647 against.

This amendment was designated as Amendment 80 by the Secretary of State, and was known as Amendment No. 3 on the general election ballot for 2000:

"An amendment to revise the judicial article of the Arkansas Constitution." The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 3. Rules of pleading, practice, and procedure.

The Supreme Court shall prescribe the rules of pleading, practice and procedure for all courts; provided these rules shall not abridge, enlarge or modify any substantive right and shall preserve the right of trial by jury as declared in this Constitution.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 4. Superintending control.

The Supreme Court shall exercise general superintending control over all courts of the state and may temporarily assign judges, with their consent, to courts or divisions other than that for which they were elected or appointed. These functions shall be administered by the Chief Justice.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 5. Court of Appeals.

There shall be a Court of Appeals which may have divisions thereof as established by Supreme Court rule. The Court of Appeals shall have such appellate jurisdiction as the Supreme Court shall by rule determine and shall be subject to the general superintending control of the Supreme Court. Judges of the Court of Appeals shall have the same qualifications as Justices of the Supreme Court.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 6. Circuit courts.

(A) Circuit Courts are established as the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to this Constitution.

(B) Subject to the superintending control of the Supreme Court, the Judges of a Circuit Court may divide that Circuit Court into subject matter divisions, and any Circuit Judge within the Circuit may sit in any division.

(C) Circuit Judges may temporarily exchange circuits by joint order. Any Circuit Judge who consents may be assigned to another circuit for temporary service under rules adopted by the Supreme Court.

(D) The Circuit Courts shall hold their sessions in each county at such times and places as are, or may be, prescribed by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

§ 7. District courts.

(A) District Courts are established as the trial courts of limited jurisdiction as to amount and subject matter, subject to the right of appeal to Circuit Courts for a trial de novo.

(B) The jurisdictional amount and the subject matter of civil cases that may be heard in the District Courts shall be established by Supreme Court rule. District Courts shall have original jurisdiction, concurrent with Circuit Courts, of misdemeanors, and shall also have such other criminal jurisdiction as may be provided pursuant to Section 10 of this Amendment.

(C) There shall be at least one District Court in each county. If there is only one District Court in a county, it shall have county-wide jurisdiction. Fines and penalties received by the district court shall continue to be distributed in the manner provided by current law, unless and until the General Assembly shall establish a new method of distribution.

(D) A District Judge may serve in one or more counties. Subject to the superintending control of the Supreme Court, the Judges of a District Court may divide that District Court into subject matter divisions, and any District Judge within the district may sit in any division.

(E) District Judges may temporarily exchange districts by joint order. Any District Judge who consents may be assigned to another district for temporary service under rules adopted by the Supreme Court.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 8. Referees, masters and magistrates.

(A) A Circuit Court Judge may appoint referees or masters, who shall have power to perform such duties of the Circuit Court as may be prescribed by Supreme Court rule.

(B) With the concurrence of a majority of the Circuit Court Judges of the Circuit, a District Court judge may appoint magistrates, who shall be subject to the superintending control of the District Court and shall have power to perform such duties of the District Court as may be prescribed by Supreme Court rule.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 9. Annulment or amendment of rules.

Any rules promulgated by the Supreme Court pursuant to Sections 5, 6(B), 7 (B), 7(D), or 8 of this Amendment may be annulled or amended, in whole or in part, by a two-thirds (2/3) vote of the membership of each house of the General Assembly.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

§ 10. Jurisdiction, venue, circuits, districts and number of judges.

The General Assembly shall have the power to establish jurisdiction of all courts and venue of all actions therein, unless otherwise provided in this Constitution, and the power to establish judicial circuits and districts and the number of judges for Circuit Courts and District Courts, provided such circuits or districts are comprised of contiguous territories.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 11. Right of appeal.

There shall be a right of appeal to an appellate court from the Circuit Courts and other rights of appeal as may be provided by Supreme Court rule or by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 12. Temporary disqualification of justices or judges.

No Justice or Judge shall preside or participate in any case in which he or she might be interested in the outcome, in which any party is related to him or her by consanguinity or affinity within such degree as prescribed by law, or in which he or she may have been counsel or have presided in any inferior court.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

§ 13. Assignment of special and retired judges.

(A) If a Supreme Court Justice is disqualified or temporarily unable to serve, the Chief Justice shall certify the fact to the Governor, who within thirty (30) days thereafter shall commission a Special Justice, unless the time is extended by the Chief Justice upon a showing by the Governor that, in spite of the exercise of diligence, additional time is needed. If the Governor fails to commission a Special Justice within thirty (30) days, or within any extended period granted by the Chief Justice, the Lieutenant Governor shall commission a Special Justice.

(B) If a Judge of the Court of Appeals is disqualified or temporarily unable to serve, the Chief Judge shall certify the fact to the Chief Justice who shall commission a Special Judge.

(C) If a Circuit or District Judge is disqualified or temporarily unable to serve, or if the Chief Justice shall determine there is other need for a Special Judge to be temporarily appointed, a Special Judge may be assigned by the Chief Justice or elected by the bar of that Court, under rules prescribed by the Supreme Court, to serve during the period of temporary disqualification, absence or need.

(D) In naming Special Justices and Judges, the Governor or the Chief Justice may commission, with their consent, retired Justices or Judges, active Circuit or District Judges, or licensed attorneys.

(E) Special and retired Justices and Judges selected and assigned for temporary judicial service shall meet the qualifications of Justices or Judges of the Court to which selected and assigned.

(F) Special and retired judges shall be compensated as provided by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 14. Prohibition of practice of law.

Justices and Judges, except District Judges, shall not practice law during their respective terms of office. The General Assembly may, by classification, prohibit District Judges from practicing law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 15. Prohibition of candidacy for non-judicial office.

**If a Judge or Justice files as a candidate for non-judicial governmental office,
that candidate's judicial office shall immediately become vacant.**

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 16. Qualifications and terms of justices and judges.

(A) Justices of the Supreme Court and Judges of the Court of Appeals shall have been licensed attorneys of this state for at least eight years immediately preceding the date of assuming office. They shall serve eight-year terms.

(B) Circuit Judges shall have been licensed attorneys of this state for at least six years immediately preceding the date of assuming office. They shall serve six-year terms.

(C) District Judges shall have been licensed attorneys of this state for at least four years immediately preceding the date of assuming office. They shall serve four-year terms.

(D) All Justices and Judges shall be qualified electors within the geographical area from which they are chosen, and Circuit and District Judges shall reside within that geographical area at the time of election and during their period of service. A geographical area may include any county contiguous to the county to be served when there are no qualified candidates available in the county to be served.

(E) The General Assembly shall by law determine the amount and method of payment of Justices and Judges. Such salaries and expenses may be increased, but not diminished, during the term for which such Justices or Judges are selected or elected. Salaries of Circuit Judges shall be uniform throughout the state.

(F) Circuit, District, and Appellate Court Judges and Justices shall not be allowed any fees or perquisites of office, nor hold any other office of trust or profit under this state or the United States, except as authorized by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 17. Election of circuit and district judges.

(A) Circuit Judges and District Judges shall be elected on a nonpartisan basis by a majority of qualified electors voting for such office within the circuit or district which they serve.

(B) Vacancies in these offices shall be filled as provided by this Constitution.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

§ 18. Election of Supreme Court Justices and Court of Appeals Judges.

(A) Supreme Court Justices and Court of Appeals Judges shall be elected on a nonpartisan basis by a majority of qualified electors voting for such office. Provided, however, the General Assembly may refer the issue of merit selection of members of the Supreme Court and the Court of Appeals to a vote of the people at any general election. If the voters approve a merit selection system, the General Assembly shall enact laws to create a judicial nominating commission for the purpose of nominating candidates for merit selection to the Supreme Court and Court of Appeals.

(B) Vacancies in these offices shall be filled by appointment of the Governor, unless the voters provide otherwise in a system of merit selection.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].

§ 19. Transition provisions, tenure of present justices and judges, and jurisdiction of present courts.

(A) Tenure of Present Justices and Judges.

(1) Justices of the Supreme Court and Judges of the Court of Appeals in office at the time this amendment takes effect shall continue in office until the end of the terms for which they were elected or appointed.

(2) All Circuit, Chancery, and Circuit-Chancery Judges in office at the time this Amendment takes effect shall continue in office as Circuit Judges until the end of the terms for which they were elected or appointed; provided further, the respective jurisdictional responsibilities for matters legal, equitable or juvenile in nature as presently exercised by such Judges shall continue until changed pursuant to law.

(3) Municipal Court Judges in office at the time this Amendment takes effect shall continue in office through December 31, 2004; provided, if a vacancy occurs in an office of a Municipal Judge, that vacancy shall be filled for a term which shall end December 31, 2004.

(B) Jurisdiction of Present Courts.

(1) The Jurisdiction conferred on Circuit Courts established by this Amendment includes all matters previously cognizable by Circuit, Chancery, Probate and Juvenile Courts including those matters repealed by Section 22 of this Amendment. The geographic circuits and subject matter divisions of these courts existing at the time this Amendment takes effect shall become circuits and divisions of the Circuit Court as herein established until changed pursuant to this Amendment. Circuit Courts shall assume the jurisdiction of Circuit, Chancery, Probate and Juvenile Courts.

(2) District Courts shall have the jurisdiction vested in Municipal Courts, Corporation Courts, Police Courts, Justice of the Peace Courts, and Courts of Common Pleas at the time this Amendment takes effect. District Courts shall assume the jurisdiction of these courts of limited jurisdiction and other jurisdiction conferred in this Amendment on January 1, 2005. City Courts shall continue in existence after the effective date of this Amendment unless such City Court is abolished by the governing body of the city or by appropriate

action of the General Assembly. Immediately upon abolition of such City Court, the jurisdiction of the City Court shall vest in the nearest District Court in the county where the city is located.

(C) Continuation of Courts. The Supreme Court provided for in this Amendment shall be a continuation of the Supreme Court now existing. The Court of Appeals shall be regarded as a continuation of the Court of Appeals now existing. All laws and parts of laws relating to the Supreme Court and to the Court of Appeals which are not in conflict or inconsistent with this Amendment shall remain in full force and effect and shall apply to the Supreme Court and Court of Appeals, respectively, established by this Amendment until amended, repealed or superseded by appropriate action of the General Assembly or the Supreme Court pursuant to this Amendment. The Circuit Courts shall be regarded as a continuation of the Circuit, Chancery, Probate and Juvenile Courts now existing. Effective January 1, 2005, the District Courts shall be regarded as a continuation of the Municipal Courts, Corporation Courts, Police Courts, Justice of the Peace Courts and Courts of Common Pleas now existing. All the papers and records pertaining to these courts shall be transferred accordingly, and no suit or prosecution of any kind or nature shall abate because of any change made by this Amendment. All writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, decrees, orders, sentences, regulations, causes of action and appeals existing on the effective date of this Amendment shall continue unaffected except as modified in accordance with this Amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 20. Prosecuting attorneys.

A Prosecuting Attorney shall be elected by the qualified electors of each judicial circuit. Prosecuting Attorneys shall have been licensed attorneys of this state for at least four years immediately preceding the date of assuming office. They shall be qualified electors within the judicial circuit from which they are elected and shall reside within that geographical area at the time of the election and during their period of service. They shall serve four-year terms.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 21. Effective date.**

This Amendment shall become effective on July, 2001.

Publisher's Notes. The text of this section has been printed exactly as enacted. Based on the effective dates of the repeals in Ark. Const. Amend. 80, § 22, the apparent intent was to make this Amendment effective July 1, 2001.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 80. [QUALIFICATIONS OF JUSTICES AND JUDGES].
§ 22. Repealer.

(A) The following sections of Article 7 of the Constitution of the State of Arkansas are hereby repealed effective July 1, 2001; 1 through 18; 20 through 22; 24; 25; 32; 34; 35; 39; 40; 42; 44; 45 and 50.

(B) Sections 34 and 35 of Article 7 of the Constitution of the State of Arkansas, as amended by Sections 1 and 2 of Amendment 24, are hereby repealed effective July 1, 2001.

(C) Section 43 of Article 7 of the Constitution of the State of Arkansas is hereby repealed effective January 1, 2005.

(D) Section 1 of Amendment 58 of the Constitution of the State of Arkansas is hereby repealed effective July 1, 2001.

(E) Section 1 of Amendment 64 of the Constitution of the State of Arkansas is hereby repealed effective January 1, 2005.

(F) Section 1 of Amendment 77 of the Constitution of the State of Arkansas is hereby repealed effective July 1, 2001.

(G) No other provision of the Constitution of the State of Arkansas shall be repealed by this Amendment unless the provision is in irreconcilable conflict with the provisions of this Amendment.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 81. [PROTECTION OF THE SECRECY OF INDIVIDUAL
VOTES (CONST., AMEND. 50, § 3 REPEALED)]

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment was proposed by H.J.R. 1004 during the 2001 Regular Session and adopted at the November 2002 general election.

Subsection (b) of Ark. Const., Amend. 81, provided:

"Section 3 of Amendment 50 of the Arkansas Constitution is hereby repealed."

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 82. [OBLIGATION BONDS FOR ECONOMIC
DEVELOPMENT]

(a) In order for the State of Arkansas to effectively compete for large economic development projects, the Arkansas General Assembly, meeting in special or regular session, may authorize the Arkansas Development Finance Authority to issue general obligation bonds to finance infrastructure or other needs to attract large economic development projects.

(b) Bonds may be issued for an amount up to five percent (5%) of state general revenues collected during the most recent fiscal year.

(c) Infrastructure needs may include, but are not limited to:

(1) Land acquisition;

(2) Site preparation;

(3) Road and highway improvements;

(4) Rail spur construction; water service;

(5) Wastewater treatment;

(6) Employee training which may include equipment for such purpose;

(7) Environmental mitigation; and

(8) Training and research facilities and the necessary equipment therefore.

(d) The General Assembly may authorize the issuance of bonds bearing the full faith and credit of the State of Arkansas if the prospective employer planning an economic development project is eligible under criteria established by law.

(e) The bonds shall be paid for in full by general or special revenues appropriated by the General Assembly until the bonds have been retired and all obligations associated with the issuance of the bonds have been met.

(f) Bonds may be issued under this amendment pursuant to an act of the General Assembly without voter approval. (Amended by Const. Amend. 90.)

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment was proposed by H.J.R. 1028 during the 2003 Regular Session and adopted at the November 2004 general election.

This amendment, effective January 1, 2011, was proposed by H.J.R. 1007 of 2009 (now Amend. 90) and was adopted at the 2010 general election by a vote of 431,724 for and 260,735 against.

Prior to this amendment, subsection (d) read: "In order for the General Assembly to authorize the issuance of bonds bearing the full faith and credit of the State of Arkansas, the prospective employer must be planning an economic development project that will invest more than five hundred million dollars (\$500,000,000) in capital expenditures and plan on hiring over five hundred (500) new employees."

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 83. [MARRIAGE].

[§ 1. Marriage.](#)

[§ 2. Marital status.](#)

[§ 3. Capacity, rights, obligations, privileges, and immunities.](#)

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 83. [MARRIAGE].
§ 1. Marriage.**

Marriage consists only of the union of one man and one woman.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 83. [MARRIAGE].
§ 2. Marital status.

Legal status for unmarried persons which is identical or substantially similar to marital status shall not be valid or recognized in Arkansas, except that the legislature may recognize a common law marriage from another state between a man and a woman.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 83. [MARRIAGE].

§ 3. Capacity, rights, obligations, privileges, and immunities.

The legislature has the power to determine the capacity of persons to marry, subject to this amendment, and the legal rights, obligations, privileges, and immunities of marriage.

Publisher's Notes. This amendment was adopted at the November 2004 general election and approved by a vote of 753,770 for and 251,914 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 84. [AUTHORIZED BINGO OR RAFFLES].

(a) As used in this section:

(1) "Authorized bingo and raffles organization" means a nonprofit tax-exempt religious, educational, veterans, fraternal, service, civic, medical, volunteer rescue service, volunteer firefighters organization, or volunteer police organization that has been in continuing existence as a nonprofit tax-exempt organization in this state for a period of not less than five (5) years immediately prior to conducting the game of bingo or raffles;

(2) (A) "Game of bingo" means a single game of the activity commonly known as "bingo" in which the participants pay a sum of money for the use of one (1) or more bingo cards.

(B) "Game of bingo" shall include only games in which the winner receives a preannounced, fixed-dollar prize and in which the winner is determined by the matching of letters and numbers on a bingo card imprinted with at least twenty-four (24) numbers, with letters and numbers appearing on objects randomly drawn and announced by a caller, in contemporaneous competition among all players in the game; and

(3) "Raffle" means the selling of tickets or chances to win a prize awarded through a random drawing. (b) (1) The game of bingo or raffles conducted by an authorized bingo and raffles organization shall not be a lottery prohibited by Section 14 of Article 19 of the Arkansas Constitution if all net receipts over and above the actual cost of conducting the game or raffle are used only for charitable, religious, or philanthropic purposes.

(2) No receipts shall be used to compensate in any manner any person who works for or is in any way affiliated with the authorized bingo and raffles organization. (c) The General Assembly shall provide by law for the licensure and regulation of authorized bingo and raffles organizations to conduct the game of bingo or raffles and may levy taxes on the activities.

Publisher's Notes. This amendment, effective January 1, 2007, was adopted at the November 2006 general election and approved by a vote of 503,216 for and 226,844 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 85. [VOTING AND ELECTIONS AMENDMENT (CONST.
AMENDS. ART. 3, §§ 1, 2, 8 AND 10 AMENDED, CONST. ART. 3,
§ 5 REPEALED)].

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment amended Ark. Const., Art. 3, §§ 1, 2, repealed Ark. Const., Art. 3, § 5, and amended Ark. Const., Art. 3, §§ 8 and 10. The amendments to those sections, effective January 1, 2009, are incorporated within those sections. The amendment was proposed by S.J.R. 4 and was adopted at the 2008 general election by a vote of 714,128 for and 267,326 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 86. [GENERAL ASSEMBLY SESSIONS (CONST.
AMENDS. ART. 5, §§ 5, 17, 29, 34, 39, 40 AND AMEND. 35, § 7
AMENDED)].

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment amended Ark. Const., Art. 5, §§ 5, 17, 29, 34, 39, 40, and Ark. Const., Amend. 35, § 7. The amendments to those sections, effective January 1, 2009, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 and was adopted at the 2008 general election by a vote of 664,671 for and 292,436 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 87. [STATE LOTTERY ESTABLISHED (CONST. AMENDS.
ART. 19, § 14 AMENDED)].

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment amended Ark. Const., Art. 19, § 14. The amendment to that section, effective January 1, 2009, is incorporated within that section. The amendment was proposed by an initiated measure and was adopted at the 2008 general election by a vote of 648,122 for and 383,467 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 88. [RIGHT TO HUNT, FISH, TRAP, AND HARVEST
WILDLIFE].**

§ 1. [Right to Hunt, Fish, Trap, and Harvest Wildlife]

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment, effective January 1, 2011, was proposed by S.J.R. 3 of 2009 and was adopted at the 2010 general election by a vote of 612,495 for and 127,444 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 88. [RIGHT TO HUNT, FISH, TRAP, AND HARVEST
WILDLIFE].

§ 1. [Right to Hunt, Fish, Trap, and Harvest Wildlife]

(a) (1) Citizens of the State of Arkansas have a right to hunt, fish, trap, and harvest wildlife.

(2) The right to hunt, fish, trap, and harvest wildlife shall be subject only to regulations that promote sound wildlife conservation and management and are consistent with Amendment 35 of the Arkansas Constitution.

(b) Public hunting, fishing, and trapping shall be a preferred means of managing and controlling nonthreatened species and citizens may use traditional methods for harvesting wildlife.

(c) Nothing in this amendment shall be construed to alter, repeal, or modify:

(1) Any provision of Amendment 35 to the Arkansas Constitution;

(2) Any common law or statute relating to trespass, private property rights, eminent domain, public ownership of property, or any law concerning firearms unrelated to hunting; or

(3) The sovereign immunity of the State of Arkansas.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

[§ 1. Governmental Bonds and Loans.](#)

[§ 2. Loans by Federally Insured Depository Institutions.](#)

[§ 3. Other Loans.](#)

[§ 4. Energy Efficiency Project Bonds - Issuance - Terms and Conditions.](#)

[§ 5. Definitions.](#)

[§ 6. Miscellaneous.](#)

[§ 7. \[Ballot Title\]](#)

[§ 8. \[Interest Rate Limits\]](#)

[§ 9. \[Application of Amendment\]](#)

[§ 10. \[Amendment Provisions\]](#)

[§ 11. \[Three-fourths vote\]](#)

[§ 12. \[Applicability\]](#)

[§ 13. \[Effective Date\]](#)

[§ 14. \[Repealer\]](#)

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment repealed Ark. Const., Art. 19, § 13 and amended Ark. Const.,

Amend. 30, § 5, Amend. 38, § 5, Amend. 62, § 1, Amend. 65, § 4, and Amend. 78, § 2. The amendments to those sections, effective January 1, 2011, are incorporated within those sections. The amendment was proposed by H.J.R. 1004 and was adopted at the 2010 general election by a vote of 448,711 for and 250,167 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 1. Governmental Bonds and Loans.

- (a) The maximum lawful rates of interest on bonds issued by governmental units in the State of Arkansas as set forth in various provisions and amendments to the Arkansas Constitution of 1874, including Article 19, § 13, and Amendment Nos. 30, 38, 62, 65, and 78 are removed.
- (b) The maximum lawful rate of interest on loans made by or to governmental units in the State of Arkansas as set forth in Article 19, § 13 of the Arkansas Constitution of 1874 is removed.
- (c) Except as may be established by the General Assembly pursuant to Section 8 of this amendment, there shall be no maximum lawful rate on bonds issued by and loans made by or to governmental units.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 2. Loans by Federally Insured Depository Institutions.

The maximum lawful rate of interest, discount points, finance charges, or other similar charges that may be charged, taken, received, or reserved from time to time in any loan or financing transaction by or to any federally insured depository institution having its main office in this State shall be the maximum rate of interest that was applicable to federally insured depository institutions under 12 U.S.C. § 1831u effective on March 1, 2009.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 3. Other Loans.

The maximum lawful rate of interest on loans or contracts not described in Sections 1 and 2 shall not exceed seventeen percent (17%) per annum.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 4. Energy Efficiency Project Bonds - Issuance - Terms and Conditions.

(a) A governmental unit, under laws adopted by the General Assembly, may issue bonds to finance all or a portion of the costs of energy efficiency projects. The bonds may bear such terms, be issued in such manner, and be subject to such conditions as may be authorized by the General Assembly. The bonds authorized by Section 4 shall be governmental bonds subject to the provisions of Section 1 of this amendment.

(b) Bonds may be secured by a pledge of the savings from the energy efficiency project and may be repaid from general revenues, special revenues, revenues derived from taxes or any other revenues available to the governmental unit.

(c) The authority conferred by this Section 4 shall be supplemental to other constitutional provisions which authorize the issuance of bonds.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 5. Definitions.

(a) The term "bonds" means all bonds, notes, certificates, financing leases, or other interest-bearing instruments or evidences of indebtedness.

(b) The term "Federal Reserve Primary Credit Rate" means the Primary Credit Rate, or such successor rate, as established by and in effect in the Federal Reserve Bank in the Federal Reserve District in which Arkansas is located.

(c) The term "federally insured depository institution" means a state bank, a national bank, or a savings association, as such terms are defined in 12 U.S.C. § 1813 as such statute existed on January 1, 2009, the deposits of which are insured by the Federal Insurance Deposit Corporation, or its successor.

(d) The term "governmental unit" means the State of Arkansas; any county, municipality, school district, or other political subdivision of the State of Arkansas; any special assessment or taxing district established under the laws of the State of Arkansas; and any agency, board, commission, or instrumentality of any of the foregoing.

(e) The term "loan or financing transaction by or to a federally insured depository institution" means all direct or indirect advances of funds and moneys that are conditioned on the obligation of a person or entity to repay the funds and moneys pursuant to loan agreements, lease agreements, installment sale agreements, security agreements, notes, bill of exchange, or other evidence of debt or other instruments or documents evidencing the indebtedness and are made by or to a federally insured depository institution.

(f) The term "loans made by or to governmental units" means all direct or indirect advances of funds and moneys that are conditioned on the obligation of a person or entity to repay the funds and moneys pursuant to loan agreements, lease agreements, installment sale agreements, security agreements, notes, or other instruments or documents evidencing the indebtedness and are made by or to governmental units.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 6. Miscellaneous.

(a) The provisions of this amendment are not intended and shall not be deemed to supersede or otherwise invalidate any provisions of federal law applicable to loans or interest rates including loans secured by residential real property.

(b) All contracts under Section 3 having a rate of interest in excess of the maximum lawful rate shall be void as to principal and interest and the General Assembly shall prohibit the same by law.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 7. [Ballot Title]

The ballot title for this amendment shall be:

An amendment providing that constitutional provisions setting the maximum lawful rate of interest on bonds issued by and loans made by or to governmental units are repealed; the maximum lawful rate of interest on loans by federally insured depository institutions shall remain at the rate resulting from the federal preemption effective on March 1, 2009; establishing that the maximum lawful rate of interest on any other loan or contract shall not exceed seventeen percent (17%) per annum; authorizing governmental units to issue bonds to finance energy efficiency projects and allowing such bonds to be repaid from any source including general revenues derived from taxes; providing that any federal laws applicable to loans or interest rates are not superseded by the amendment; and repealing Article 19, § 13, and the interest rate provisions of Amendment Nos. 30, 38, 62, 65, and 78 of the Arkansas Constitution.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 8. [Interest Rate Limits]

Nothing in this amendment shall limit the power of the General Assembly to fix, from time to time, one or more interest rate limits on various types of bonds issued by and loans made by or to governmental units.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 9. [Application of Amendment]

If this amendment or the application thereof to any person or circumstances is held invalid, the remainder of the amendment and its application to persons or circumstances other than those to which it is held invalid shall not be affected.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 10. [Amendment Provisions]

The provisions of this amendment, other than the provisions of Section 4 of this amendment, shall be self-executing.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 11. [Three-fourths vote]

The General Assembly may by a three-fourths vote of each house of the General Assembly amend the provisions of this amendment so long as the amendments are germane to this amendment and consistent with its policy and purposes.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 12. [Applicability]

The provisions of this amendment shall apply to all bonds issued and loans made after the effective date of this amendment.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST
RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13
REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND.
62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].
§ 13. [Effective Date]

The effective date of this amendment is January 1, 2011.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

Constitution Of The State Of Arkansas Of 1874

AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874

AMEND. 89. [GOVERNMENTAL BONDS AND LOANS - INTEREST RATES - ENERGY EFFICIENCY PROJECTS (CONST. ART. 19, § 13 REPEALED, CONST. AMEND. 30, § 5, AMEND. 38, § 5, AMEND. 62, § 1, AMEND. 65, § 4, AND AMEND. 78, § 2 AMENDED)].

§ 14. [Repealer]

This amendment shall repeal Article 19, § 13, and the interest rate provisions of Amendment Nos. 30, 38, 62, 65, and 78 of the Arkansas Constitution.

Publisher's Notes. The bracketed heading was added by the Publisher.

[Browse Previous Page](#) | _____ [Browse Next Page](#)

[Browse Previous Page](#) | _____ [Browse Next Page](#)

**Constitution Of The State Of Arkansas Of 1874
AMENDMENTS TO THE CONSTITUTION OF ARKANSAS OF 1874
AMEND. 90. [BONDS FOR ECONOMIC DEVELOPMENT (CONST.
AMEND. 82 AMENDED)].**

Publisher's Notes. The bracketed heading was added by the Publisher.

This amendment amended Ark. Const., Amend. 82. The amendment to that section, effective January 1, 2011, is incorporated within that section. The amendment was proposed by H.J.R. 1007 of 2009 and was adopted at the 2010 general election by a vote of 431,724 for and 260,735 against.

[Browse Previous Page](#) | _____ [Browse Next Page](#)