

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 211

5 By: Senator K. Hammer
6 By: Representative Underwood
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For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING INITIATIVE
10 PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE A
11 CANVASSER TO SUBMIT AN AFFIDAVIT BEFORE SIGNATURES
12 CAN BE COUNTED; TO DECLARE AN EMERGENCY; AND FOR
13 OTHER PURPOSES.
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Subtitle

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17 TO AMEND THE LAW CONCERNING INITIATIVE
18 PETITIONS AND REFERENDUM PETITIONS; TO
19 REQUIRE A CANVASSER TO SUBMIT AN
20 AFFIDAVIT BEFORE SIGNATURES CAN BE
21 COUNTED; AND TO DECLARE AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 7-9-111, concerning the determination of
26 the sufficiency of a petition for initiatives, referenda, and constitutional
27 amendments, is amended to add additional subsections to read as follows:

28 (j)(1) A canvasser shall file a true affidavit with the Secretary of
29 State certifying that the canvasser has complied with the Arkansas
30 Constitution and all Arkansas law regarding canvassing, perjury, forgery, and
31 fraudulent practices in the procurement of petition signatures during the
32 current election cycle.

33 (2) The Secretary of State shall not count the signatures
34 submitted by the canvasser until a true affidavit is submitted under
35 subdivision (j)(1) of this section.

36 (3) A true affidavit submitted under subdivision (j)(1) of this



1 section shall have no bearing to establish the genuineness or falsity of the
2 signatures obtained by the canvasser.

3 (k) A canvasser who has filed a true affidavit under subsection (j) of
4 this section shall not collect additional signatures unless the Secretary of
5 State determines that the sponsor of the initiative petition or referendum
6 petition is eligible for an amendment to the initiative petition or
7 referendum petition under Arkansas Constitution, Art. 5, § 1.

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9 SECTION 2. Arkansas Code § 7-9-126(c), concerning signatures that will
10 not be counted for any reason that appear on the petition, is amended to add
11 an additional subdivision to read as follows:

12 (8) Signatures submitted by a canvasser who has not filed a true
13 affidavit with the Secretary of State as required under § 7-9-108 certifying
14 that the canvasser has complied with the Arkansas Constitution and all
15 Arkansas laws regarding canvassing, perjury, forgery, and fraudulent
16 practices in the procurement of petition signatures during the current
17 election cycle.

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19 SECTION 3. DO NOT CODIFY. SEVERABILITY. The provisions of this act
20 are declared to be severable and the invalidity of any provision of this act
21 shall not affect other provisions of the act which can be given effect
22 without the invalid provision.

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24 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
25 General Assembly of the State of Arkansas that the process for citizens to
26 propose initiated acts and amendments to the Arkansas Constitution is
27 critical to a well-functioning democracy in this state; that it is of the
28 utmost importance that the integrity of the initiative process be
29 strengthened through this act so that petitioners and voters maintain a high
30 degree of confidence in the soundness of their right to legislate as citizens
31 of Arkansas; and that this act is immediately necessary because any delay in
32 the implementation of this act would disrupt the initiative process for the
33 2026 general election, which would have a detrimental effect on the public
34 peace, health, and safety of Arkansas. Therefore, an emergency is declared to
35 exist, and this act being immediately necessary for the preservation of the
36 public peace, health, and safety shall become effective on:

- 1 (1) The date of its approval by the Governor;
- 2 (2) If the bill is neither approved nor vetoed by the Governor,
- 3 the expiration of the period of time during which the Governor may veto the
- 4 bill; or
- 5 (3) If the bill is vetoed by the Governor and the veto is
- 6 overridden, the date the last house overrides the veto.

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