

NOTICE FOR CONSTITUTIONAL AMENDMENT PROPOSED BY PETITION OF THE PEOPLE

Issue No. 3

NOTICE TO THE PUBLIC

Pursuant to Article 5, Section 1, of the Arkansas Constitution (Amendment 7) and Ark. Code Ann. § 7-9-113, a constitutional amendment proposed by petition of the people will appear on the November 6, 2018 ballot as Issue No. 3. Each elector upon voting his/her ballot shall vote for or against this amendment. The Popular Name, Ballot Title, and complete text of the proposed amendment follow.

(Popular Name)

Arkansas Term Limits Amendment

(Ballot Title)

A proposed amendment to the Arkansas Constitution concerning term limits for members of the Arkansas General Assembly; to provide that no person may be elected to more than three (3) two-year terms as a member of the House of Representatives, to more than two (2) four-year terms as a member of the Senate, or to any term that, if served, would cause the member to exceed a total of ten (10) years of service in the General Assembly; to repeal Section 2(c) of Amendment 73 that established a years-of-service limit on members of the General Assembly of sixteen (16) years; to provide that the ten-year service limit shall include all two (2) and four (4) year terms, along with full years of any partial term served as a result of a special election to fill a vacancy; to apply the limits to terms and service in the General Assembly on and after January 1, 1993; to provide that this amendment shall not cut short or invalidate a term to which a member of the General Assembly was elected prior to the effective date of this amendment; to provide that notwithstanding the General Assembly's constitutional authority to propose amendments to the Constitution, the General Assembly shall not have the authority to propose an amendment to the Constitution regarding term limits for the House of Representatives or Senate, and to continue reserving that power to the people under Article 5, Section 1, as amended by Amendment 7; and to declare that if any provision of this amendment should be held invalid, the remainder shall stand.

(Complete Text of Proposed Amendment)

SECTION 1. Term Limits.

(a) No person may be elected to:

- (1) More than three (3) two-year terms as a member of the Arkansas House of Representatives;
- (2) More than two (2) four-year terms as a member of the Arkansas Senate; or
- (3) Any term which if served would exceed a total of ten (10) years in the General Assembly.

(b) In calculating the ten-year limit:

- (1) Two-year House terms and two-year and four-year Senate terms shall be included; and

(2) A partial term served as a result of a special election under Article 5, § 6 shall not count toward the limit unless service in that term is longer than one (1) year in duration. Only full years of a partial term shall be counted.

(c) Members service in the General Assembly on and after January 1, 1993 shall be included in calculating allowable terms and service under this Amendment.

SECTION 2. Temporary application.

Notwithstanding the limits established in SECTION 1(a), this Amendment shall not cut short or invalidate a term for which a member of the House of Representatives or Senate was elected prior to the effective date of the Amendment.

SECTION 3. Section 2(c) of Amendment 73 of the Constitution, as added by Section 3 of Amendment 94, is repealed.

~~(e)(1) A member of the General Assembly shall serve no more than sixteen (16) years, whether consecutive or nonconsecutive.~~

~~(2) A member who completes his or her sixteenth year of service during a term of office for which he or she has been elected may serve until the completion of that term of office.~~

~~(3) The years of service in both the Senate and the House of Representatives shall be added together and included to determine the total number of years in office.~~

~~(4) A partial legislative term served as a result of a special election under Article 5 § 6, or a two year term served as a result of apportionment of the Senate shall not be included in calculating the total number of years served by a member of the General Assembly.~~

SECTION 4. Amendment.

Notwithstanding the General Assembly's authority to propose amendments to the constitution under Article 19 § 22 of the Constitution, the General Assembly does not have authority to propose an amendment to the Constitution to amend or repeal term limits for the House of Representatives or Senate. The power to propose an amendment to the Constitution to amend or repeal term limits for the House of Representatives or Senate is reserved to the people under Article 5, Section 1 of the Constitution, as amended by Amendment 7.

SECTION 5. Severability.

The provisions of this Amendment are severable, and if any provision should be held invalid, the remainder shall stand.

SECTION 6. Effective date.

This Amendment shall be effective on the first day of January immediately following passage by voters.