

Proposed Constitutional Amendment No. 1

NOTICE TO THE PUBLIC

Pursuant to Article 19, Section 22, of the Arkansas Constitution, the 86th General Assembly refers the following constitutional amendment to a vote of the people on November 4, 2008. Each elector upon voting his/her ballot shall vote for or against this amendment.

Stricken language would be deleted from the present Constitution. Underlined language would be added to the present Constitution.

State of Arkansas

As Engrossed: S2/7/07

86th General Assembly

Regular Session, 2007 SJR 4

Referred Amendment #1

By: Senator Faris

(Popular Name)

AN AMENDMENT CONCERNING VOTING, QUALIFICATIONS OF VOTERS AND ELECTION OFFICERS, AND THE TIME OF HOLDING GENERAL ELECTIONS.

“AMENDING VARIOUS PROVISIONS OF THE ARKANSAS CONSTITUTION CONCERNING VOTING AND ELECTIONS; PROVIDING THAT ALL PERSONS MAY VOTE WHO ARE CITIZENS OF THE UNITED STATES, RESIDENTS OF THE STATE OF ARKANSAS, AT LEAST EIGHTEEN (18) YEARS OF AGE, AND LAWFULLY REGISTERED TO VOTE; TO REPEAL THE REQUIREMENT THAT THE RIGHT TO VOTE SHALL NOT BE MADE TO DEPEND ON ANY PREVIOUS REGISTRATION OF AN ELECTOR’S NAME; REPEALING ARTICLE 3, SECTION 5 OF THE ARKANSAS CONSTITUTION PROVIDING THAT NO IDIOT OR INSANE PERSON SHALL BE ENTITLED TO THE PRIVILEGES OF AN ELECTOR; AND PERMITTING THE GENERAL ASSEMBLY TO ESTABLISH THE DATE AND TIME OF ELECTIONS AND THE QUALIFICATIONS OF ELECTION OFFICERS.”

Subtitle

AMENDING VARIOUS PROVISIONS OF THE ARKANSAS CONSTITUTION CONCERNING VOTING AND ELECTIONS.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

That the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Senators and Representatives, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. Section 1 of Article 3 of the Arkansas Constitution is amended to read as follows:

§ 1. Qualifications of electors ~~—Equal suffrage—Poll tax. Every citizen of the United States of the age of twenty-one years, who has resided in the State twelve months, in the county six months, and in the~~

precinct, town or ward one month, next preceding any election at which they may propose to vote, except such persons as may for the commission of some felony be deprived of the right to vote by law passed by the General Assembly, and who shall exhibit a poll tax receipt or other evidence that they have paid their poll tax at the time of collecting taxes next preceding such election, shall be allowed to vote at any election in the State of Arkansas, provided, that persons who make satisfactory proof that they have attained the age of twenty-one years since the time of assessing taxes next preceding said election and possess the other necessary qualifications, shall be permitted to vote; and, provided, further, that the said tax receipt shall be so marked by dated stamp or written endorsement by the judges of election to whom it may be first presented as to prevent the holder thereof from voting more than once at any election. It is declared to be the purpose of this amendment to deny the right of suffrage to aliens and it is declared to be the purpose of this amendment to confer suffrage equally upon both men and women, without regard to sex; provided, that women shall not be compelled to serve on juries. [As amended by Const. Amend. 8.] Except as otherwise provided by this Constitution, any person may vote in an election in this state who is:

- (1) A citizen of the United States;
- (2) A resident of the State of Arkansas;
- (3) At least eighteen (18) years of age; and
- (4) Lawfully registered to vote in the election.

SECTION 2. Section 2 of Article 3 of the Arkansas Constitution is amended to read as follows:

§ 2. Right of suffrage.

Elections shall be free and equal. No power, civil or military, shall ever interfere to prevent the free exercise of the right of suffrage; nor shall any law be enacted, ~~whereby the right to vote at any election shall be made to depend upon any previous registration of the elector's name; or whereby such right shall be impaired or forfeited, except for the commission of a felony at common law, upon lawful conviction thereof.~~

SECTION 3. Section 5 of Article 3 is repealed.

~~5. Idiots and insane persons~~

~~No idiot or insane person shall be entitled to the privileges of an elector~~

SECTION 4. Section 8 of Article 3 of the Arkansas Constitution is amended to read as follows:

8. Time of holding elections.

The general elections shall be held biennially, on ~~the first Monday of September; but the General Assembly may, by law, fix a different time~~ the days and at times fixed by the General Assembly.

SECTION 5. Section 10 of Article 3 of the Arkansas Constitution is amended to read as follows:

10. Election officers.

~~No person shall be qualified to serve as an election officer who shall hold, at the time of the election, any office, appointment, or employment in or under the government of the United States, or of this State, or in any city or county or any municipal board, commission or trust in any city, save only the justices of the peace, and aldermen, notaries public and persons in the militia service of the State. Nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve save only to such subordinate municipal or local offices, below the grade of city or county officers, as shall be designated by general law~~ The General Assembly shall determine the qualifications of an election officer.