

INITIATIVE PETITION

ARKANSAS TERM LIMITS AMENDMENT of 2016

FOR OFFICE USE ONLY

_____ Valid of _____

By _____ Date _____

To the Honorable Secretary of State of the State of Arkansas: We, the undersigned registered voters of the State of Arkansas, respectfully propose the following amendment to the Constitution of the State, and by this, our petition, order that the same be submitted to the people of said state, to the end that the same may be adopted, enacted, or rejected by the vote of the registered voters of said state at the regular general election to be held on the 8th day of November, 2016, and each of us for himself or herself says: **I have personally signed this petition; I am a registered voter of the State of Arkansas, and my printed name, date of birth, residence, city or town of residence, county of residence, and date of signing this petition are correctly printed after my signature.** The Popular Name is ARKANSAS TERM LIMITS AMENDMENT of 2016, and the ballot title is attached or affixed hereto.

Voters Registered in _____ County

	Signature	Printed Name	Date of Birth	Residence (Street Address)	City or Town of Residence	County of Residence	Date of Signing
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

State of Arkansas, County of _____ **[County where Notary signs]**

I, _____ [Canvasser], being sworn, state that each of the foregoing persons signed his or her own name to this sheet of the petition in my presence. To the best of my knowledge and belief, each signature is genuine and each signer is a registered voter of the State of Arkansas, in the County listed at the top of the Petition. At all times during the circulation of this signature sheet, an exact copy of the popular name, ballot title, and text was attached to this signature sheet. My current residence address is correctly stated below.

Signature: _____ Residence: _____

Indicate one: () Paid Canvasser () Volunteer/Unpaid Canvasser

On this ____ day of _____, 20____, before me, the undersigned Notary Public, personally appeared _____, well known to me (or satisfactorily proven by identification documents provided) to be the person described in the foregoing Canvasser Affidavit and acknowledged that s/he executed the same in the capacity of a Canvasser for the purpose of fulfilling legal requirements of a Canvasser in the State of Arkansas; and that I personally witnessed the signature of the Canvasser.

Signature of Notary: _____

My Commission Expires: _____

Residence County of Notary: _____

Popular Name
ARKANSAS TERM LIMITS AMENDMENT OF 2016

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 in November 2016 or a term that a member of the Senate was serving immediately 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.

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 in November 2016, or a term for which a member of the Senate was serving immediately 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 to 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 January 1, 2017.

INSTRUCTIONS TO CANVASSERS AND SIGNERS

1. The Arkansas Constitution gives Arkansas citizens the power to (a) initiate legislation by petition of 8% of the legal voters or constitutional amendments by petition of 10% of legal voters, or (b) order the referendum against any general act or any item of an appropriation bill or measure passed by the General Assembly by petition of 6% of legal voters. A proposed measure must be submitted at a regular election; referendum petitions may be referred at special elections on petition of 15% of the registered voters. Any measure submitted to the people becomes law when approved by a majority of the votes cast on the measure.

2. Only registered voters may sign. All signatures must be in the signer's own handwriting and in the presence of the person circulating the petition. The petition should contain only the signatures of voters residing in a single county.

3. Printed name, date of birth, residence, city or town of residence, and date of signing must be given as an aid to verification. If a petition signer needs assistance with this information due to disability, another person may print the signer's information and that person shall sign and print their name in the margin of the petition.

4. Do not attach additional sheets to this petition unless they contain the full language of the petition. The signature section of the petition must be formatted as prescribed by the Secretary of State.

5. Pursuant to section 5-55-601 (b) of the Arkansas Code, each of the following activities constitutes "petition fraud," which is a Class A misdemeanor and is punishable by a fine of up to \$1,000 and imprisonment for up to one year:

A person commits the offense of petition fraud:


(1) If the person knowingly: (A) Signs a name other than his or her name to a petition; (B) Signs his or her name more than one (1) time to a petition; or (C) Signs a petition when he or she is not legally entitled to sign the petition;

(2) If the person acting as a canvasser, notary, sponsor as defined under § 7-9-101, or agent of a sponsor: (A) Signs a name other than his or her own to a petition; (B) Prints a name, address, or birth date other than his or her own to a petition unless the signor requires assistance due to disability and the person complies with § 7-9-103; (C) Solicits or obtains a signature to a petition knowing that the person signing is not qualified to sign the petition; (D) Knowingly pays a person any form of compensation in exchange for signing a petition as a petitioner; (E) Accepts or pays money or anything of value for obtaining signatures on a petition when the person acting as a canvasser, sponsor, or agent of a sponsor knows that the person acting as a canvasser's name or address is not included on the sponsor's list filed with the Secretary of State under § 7-9-601; or (F) Knowingly misrepresents the purpose and effect of the petition or the measure affected for the purpose of causing a person to sign a petition;

(3) If the person acting as a canvasser knowingly makes a false statement on a petition verification form; [or] * * *

(5) If the person acting as a sponsor files a petition or a part of a petition with the official charged with verifying the signatures knowing that the petition or part of the petition contains one (1) or more false or fraudulent signatures unless each false or fraudulent signature is clearly stricken by the sponsor before filing.

The Attorney General is by law required to certify the sufficiency of the popular name and ballot title of all initiative or referendum petitions. This certification does not necessarily indicate the approval or disapproval of the contents thereof.



LESLIE RUTLEDGE Attorney General of the State of Arkansas