

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

1 State of Arkansas *As Engrossed: S2/23/21*

2 93rd General Assembly

3 Regular Session, 2021

SJR 15

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5 By: Senator A. Clark

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SENATE JOINT RESOLUTION

8

AN AMENDMENT TO THE ARKANSAS CONSTITUTION REQUIRING

9

THE GOVERNOR TO CONVENE AN EXTRAORDINARY SESSION OF

10

THE GENERAL ASSEMBLY FOR THE PURPOSE OF CONSIDERING

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LEGISLATION RELATED TO AN EMERGENCY WHEN THE GOVERNOR

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DECLARES BY EXECUTIVE ORDER OR PROCLAMATION THAT AN

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EMERGENCY EXISTS IN THE STATE AND THE DURATION OF THE

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EMERGENCY DECLARATION EXCEEDS THIRTY (30) DAYS;

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AUTHORIZING THE GENERAL ASSEMBLY TO TAKE

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ADMINISTRATIVE ACTION REGARDING THE EXECUTIVE HEAD OF

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A STATE AGENCY DURING AN EXTRAORDINARY SESSION

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CONVENED DUE TO AN EMERGENCY DECLARATION THAT EXCEEDS

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THIRTY (30) DAYS; AND PROVIDING THAT AN EXTRAORDINARY

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SESSION CONVENED DUE TO AN EMERGENCY DECLARATION THAT

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EXCEEDS THIRTY (30) DAYS SHALL ADJOURN SINE DIE UPON

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THE TERMINATION OF THE EMERGENCY DECLARATION.

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Subtitle

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A CONSTITUTIONAL AMENDMENT REQUIRING THE

27

GOVERNOR TO CONVENE AN EXTRAORDINARY

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SESSION OF THE GENERAL ASSEMBLY WHEN AN

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EMERGENCY DECLARATION EXCEEDS THIRTY (30)

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DAYS.

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BE IT RESOLVED BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE

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STATE OF ARKANSAS, AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL

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MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

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

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8 SECTION 1. Arkansas Constitution, Article 6, Section 19, is amended to
9 read as follows:

10 § 19. Extraordinary sessions of General Assembly – Calling – Purposes.

11 (a) The Governor may, by proclamation, on extraordinary occasions,
12 convene the General Assembly at the seat of government, or at a different
13 place, if that shall have become, since their last adjournment, dangerous
14 from an enemy or contagious disease; and he shall specify in his proclamation
15 the purpose for which they are convened; and no other business than that set
16 forth therein shall be transacted until the same shall have been disposed of;
17 after which they may, by a vote of two-thirds of all the members elected to
18 both houses, entered upon their journals, remain in session not exceeding
19 fifteen days.

20 (b)(1) If the Governor declares by executive order or proclamation
21 that an emergency exists in the state and the duration of the emergency
22 declaration exceeds thirty (30) days, he or she shall convene the General
23 Assembly in extraordinary session on the thirty-first day of the emergency
24 declaration.

25 (2)(A) Except as provided under subdivision (b)(2)(B) of this
26 section, the purpose of an extraordinary session under subdivision (b)(1) of
27 this section shall be the consideration of legislation related to the
28 emergency declared by the Governor.

29 (B) During an extraordinary session under subdivision
30 (b)(1) of this section, the General Assembly may take administrative action
31 regarding the executive head of a state agency, including without limitation:

32 (i) Terminating the employment of the executive head
33 of the state agency; and

34 (ii) Hiring an individual to serve as the executive
35 head of the state agency.

36 (3)(A) The extraordinary session shall:

1 (i) Continue for the duration of the emergency
2 declared by the Governor; and

3 (ii) Adjourn sine die upon the termination of the
4 emergency declaration.

5 (B) The General Assembly may meet as necessary during an
6 extraordinary session under subdivision (b)(1) of this section, including
7 without limitation recessing for one (1) or more days and subsequently
8 reconvening.

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10 SECTION 2. EFFECTIVE DATE. This amendment shall be effective on and
11 after November 9, 2022.

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13 SECTION 3. BALLOT TITLE AND POPULAR NAME. When this proposed
14 amendment is submitted to the electors of this state on the general election
15 ballot:

16 (1) The title of this Joint Resolution shall be the ballot
17 title; and

18 (2) The popular name shall be "A Constitutional Amendment
19 Requiring the Governor to Convene an Extraordinary Session of the General
20 Assembly When the Governor Declares by Executive Order or Proclamation that
21 an Emergency Exists in the State and the Duration of the Emergency
22 Declaration Exceeds Thirty (30) Days".

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25 /s/A. Clark
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