

HOUSE JOINT RESOLUTION 42

By Hardaway

A RESOLUTION to propose an amendment to the Constitution of Tennessee, to provide for the people to propose laws by initiative.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRTEENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that the Constitution of Tennessee be amended by adding the following new Article:

Article XII.

Section 1. The people reserve power to propose laws by the initiative, independent of the general assembly.

Section 2. Initiative petitions proposing laws shall be signed by a number of registered voters equal to five percent (5%) of votes cast in the state for the office of governor at the last preceding gubernatorial election. Every such petition must be filed with the secretary of state not less than six (6) months before the election at which it is to be voted upon and must contain the full text of the law. Petitions for laws must contain not more than one (1) subject which must be expressed clearly in the title. The secretary of state shall certify the validity of the petition within sixty (60) days of receipt.

Section 3. Initiatives may only be placed on the ballot in an election held on the first Tuesday after the first Monday in November in an even-numbered year.

Section 4. A proposed law by initiative that receives approval from a majority of those voting on the proposed law must be submitted to the general assembly. The general assembly shall, within ninety (90) days of convening in regular annual session

after the initiative has received approval from a majority of those voting, either approve the law by a majority of those voting in each chamber, reject the proposed law by a majority of those voting in each chamber, or take no action. If the general assembly approves the law or takes no action, the proposed law is considered enacted and takes effect the first day of July after the approval or inaction. If the general assembly rejects the law, it shall not take effect.

Section 5. A law proposed by initiative that fails to receive approval from a majority of those voting shall not appear on the ballot as an initiative again for at least four (4) years. A law proposed by initiative that is rejected by the general assembly shall not appear on the ballot as an initiative again for at least two (2) years.

BE IT FURTHER RESOLVED, that the foregoing be referred to the One Hundred Fourteenth General Assembly and that this resolution proposing such amendment be published in accordance with Article XI, Section 3 of the Constitution of Tennessee by posting such amendment on the official website of the Secretary of State and on the official website of the General Assembly.

BE IT FURTHER RESOLVED, that the Clerk of the House of Representatives is directed to deliver a copy of this resolution to the Secretary of State.