

<p style="text-align: center;">The Basic Steps To Do An Initiative In Arkansas Statutes And Amendments – Direct Initiative Process</p>

Basic Procedures: Before proponents can circulate the petition, they must submit the original draft to the Attorney General, with a proposed legislative or ballot title and popular name. The Attorney General has 10 days to approve and certify the ballot title and popular name or substitute and certify a more suitable and correct title and name. If the Attorney General refuses to act, or if the sponsors feel aggrieved at the choice of title and name, they can apply to the Supreme Court for proper relief.

When the proponents have obtained a final approval on the measure's ballot title and popular name, they then must file the petition with the Secretary of State, Elections Division before they can circulate.

The Secretary of State is required to publish the measure in the newspaper, at the proponent's expense at least 30 days before the signatures are filed.

Date Initiative language can be submitted to state for 2002: Any time.

Signatures are tied to vote of which office: Governor

Next Gubernatorial election: 2002

Votes cast for governor in last election: 706,020

Net number of signatures required: For a constitutional amendment it is 10% of the total number of votes cast for Governor in the last gubernatorial election (70,602). For a statute, it is 8% of the total number of votes cast for Governor in the last gubernatorial election. (54,481)

Distribution Requirement: 5% in 15 of 75 counties for amendments and 4% in 15 of 75 counties for statutes.

Circulation period: Unlimited

Do circulators have to be residents: No

Date when signatures are due for certification: July 5, 2002 for 2002 general election ballot.

Signature verification process: The Secretary of State will verify signatures up to 10% above the designated number. However, the Secretary of State will not accept additional signatures if the petition is determined to be sufficient after the initial submission even if the number is one signature over the required number. Nor will the Secretary of State accept

additional signatures after the initial submission until a determination of sufficiency is made. If a petition is determined not to contain the requisite number of valid signatures, a sponsor may within 30 days of notification of insufficiency from the Secretary of State do any or all of the following: A) Solicit and obtain additional signatures; B) Submit proof that the rejected signatures or some of them are good and should be counted; C) Make the petition more definite or certain. The Secretary of State will set designated times to accept the additional signatures from a notified sponsor.

Single-subject restriction: No

Legislative tampering: Initiatives can be amended or repealed by a 2/3 vote of each house.

General Comments: Under a new 1999 law, any Arkansas taxpayer and voter may submit a written request to the Secretary of State for a determination of legal sufficiency of a statewide initiative petition. Within 30 days of receipt of this request the Secretary of State shall issue, after consultation with the Attorney General, a declaration stating whether the popular name or ballot title of the measure are fair and complete and whether the measure, if subsequently approved by the electorate, would violate any state constitutional provision or any federal constitutional, statutory or regulatory provision, or would be invalid for any other reason. The petitioner, the sponsor of the measure and any Arkansas taxpayer and voter shall have the immediate right to petition the Arkansas Supreme Court to review the determination of the Secretary of State regarding the sufficiency of the initiative petition.