



# General Election 2022

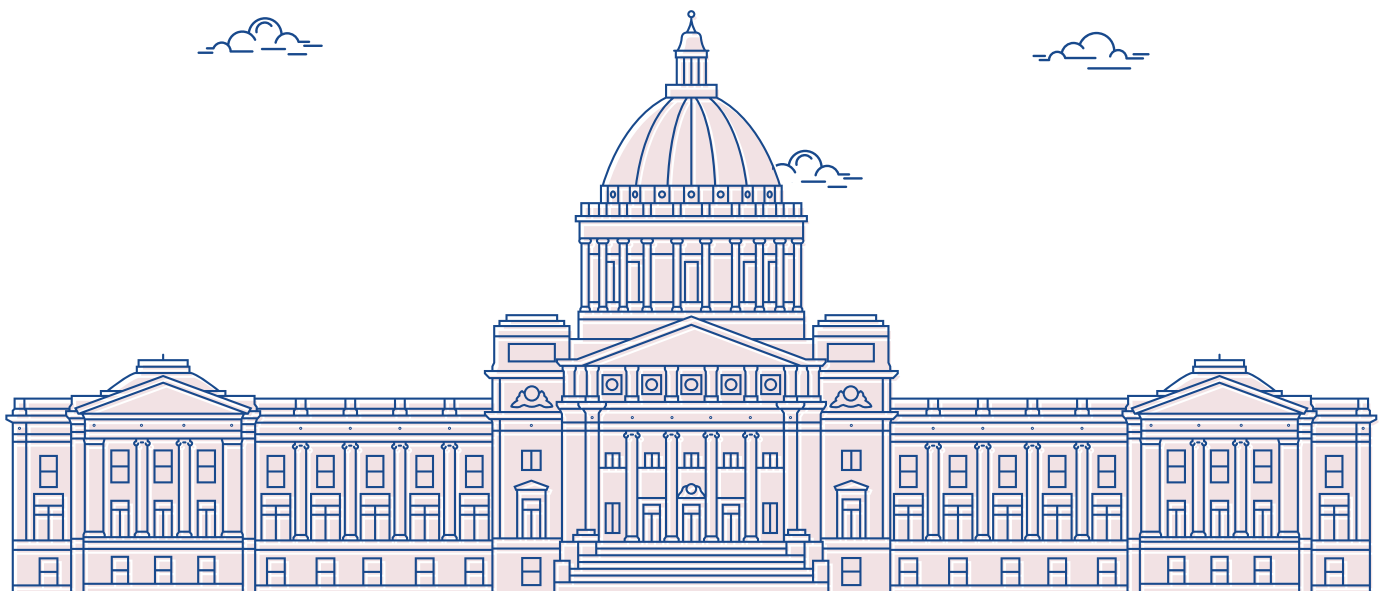
## BALLOT INITIATIVES

# BREAKDOWN

Four confirmed issues (state and local) will be on the ballot this year.

The Arkansas State Constitution allows the legislature the right to include up to three constitutional amendments to the general election ballot, and currently require a majority approval by voters in order to become law on Election Day. In this document, the Chamber has outlined what each of the proposed measures will do, if passed.

The Quorum Court has also placed an item on the ballot. The ICC have endorsed this initiative. We detail what it is and what its impact on the community will be if passed.



# ISSUE 1:

## ***A Constitutional Amendment to Allow the General Assembly to Convene in Extraordinary Session.***

STATEWIDE

BALLOT INITIATIVES

**POPULAR NAME:** A constitutional amendment to allow the General Assembly to convene in extraordinary session upon the issuance of a joint written proclamation of the speaker of the House of Representatives and the president pro tempore of the Senate or upon the submission of a written proclamation containing the signatures of at least 2/3 of the members of the House of Representatives and at least 2/3 of the members of the Senate to the speaker of the House of Representatives and the president pro tempore of the Senate requesting that the General Assembly convene in extraordinary session.

**WHAT DOES IT DO:** Currently, in the State of Arkansas the Governor is the only individual who has the authority to call the legislature into a special meeting of the General Assembly - this is also known as a Special Session. Within Issue 1, the Arkansas Legislature has proposed a change to the state constitution that would give the legislature the ability to call themselves into a special session, with a few further specifications.

**IF THE MEASURE PASSES:** It would require a joint decision by the Speaker of the House and the President of the Senate to convene the legislature; or if two-thirds or more legislators from both chambers sign a written proclamation calling for a special session (this would equate to 67 of the 100 representatives and 24 of the 35 senators).

**FURTHERMORE:** It would require lawmakers to create rules specifying how the special session would operate; put the Speaker of the House and the President of the Senate in charge of setting dates for the special session; enables the legislature - after addressing the purpose for the special session, to consider additional bills if they have the appropriate number of votes to do so.

# ISSUE 2:

## **Constitutional Amendment and Ballot Initiative Reform Amendment**

**POPULAR NAME:** An amendment to the Arkansas Constitution, to be known as the “constitutional amendment and ballot initiative reform amendment”, concerning the number of votes required for approval of certain measures presented to voters; requiring that initiatives proposed under Arkansas Constitution, Article 5, § 1, 18 and constitutional amendments proposed under Arkansas Constitution, Article 19, § 22, and Arkansas Constitution, Amendment 70, § 2, shall be approved when receiving at least sixty percent (60%) of the votes cast on the proposed initiative or proposed constitutional amendment; and requiring that a measure subject to a referendum shall be repealed if the measure is rejected by a majority of the electors voting upon the matter.

**WHAT IT DOES:** Currently, for a statewide ballot issue to pass and go into effect there must be a simple majority vote in the state (at least 51% to pass). The change intended through this amendment is to require a 60% majority vote for constitutional amendments and state laws proposed by citizen groups.

Citizen referendums that ask voters to decide the fate of existing laws would not change.

# ISSUE 3:

## **Arkansas Religious Freedom Amendment**

**POPULAR NAME:** A Constitutional Amendment to Create the “Arkansas Religious Freedom Amendment.”

**WHAT IT DOES:** Currently, AR has a law in place that specifies that government cannot infringe upon a person’s exercise of religion. This amendment would add language into the Arkansas Constitution that would prohibit state and local governments from impeding on the practice of religion unless there is a compelling reason to act in a restrictive manner. It also provides a legal claim in court or other governmental proceedings for a person who believes their religious freedoms have been imposed upon.

**IT IS IMPORTANT TO NOTE** that there are not any specifications as to what impeding on religion means nor is there a specification on what is a compelling reason to act.

**IF THIS AMENDMENT PASSES** it would apply to every and all future laws, rules, regulations, ordinances, administrative proceedings, rulings, and guidelines.

STATEWIDE  
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# ISSUE 4:

## Recreational Marijuana

STATEWIDE

BALLOT INITIATIVES

**POPULAR NAME:** An amendment to authorize the possession, personal use, and consumption of cannabis by adults, to authorize the cultivation and sale of cannabis by licensed commercial facilities, and to provide for the regulation of those facilities.

**WHAT IT DOES:** Currently, Arkansas has allowances for Medical Marijuana throughout the state. This proposal would expand marijuana use to become recreational in nature. It has a few further specifications outlined below:

**21 AND OLDER BUYING MARIJUANA:** If an individual 21 and older has one ounce of marijuana on their person it would be legal under Arkansas State Law but still illegal under Federal Law. Medical-marijuana cardholders could purchase of non-medical marijuana, and it would not count towards the amount they can purchase for medical purposes.

**CULTIVATION/GROWING FACILITIES:** It would require the state to allow 12 more marijuana cultivation licenses for growing non-medical marijuana but limit them to producing only 250 plants at one time and they would not be allowed to sell as medical marijuana. It would allow the current facilities the ability to expand to non-medical marijuana growing and enable the facilities to deliver non-medical product to dispensaries for recreational purposes.

**DISPENSARIES:** The current 40 medical dispensaries could expand to selling recreational products and enable them to receive a second license to sell and requires an additional 40 dispensaries be licensed to sell non-medical products.

**TAXES AND FEES:** Medical Marijuana would not longer be taxed but non-medical marijuana would be taxed to reflect nearly 16.5% sales tax with that ability for cities and counties to further tax the purchase. The proceeds would fund law enforcement stipends, UofA Medical Sciences, drug court programs and general state funds to assist in the cost of regulating the marijuana program by state agencies.

**ADDITIONAL INFO:** It would allow cities and counties to hold local elections on if they would allow non-medical marijuana sales in their area. It would also remove authority from lawmakers and require any additional changes be approved by voters. It would prohibit cities and counties from being able to restrict sales through zoning laws.

# LOCAL ISSUE:

## *Benton County Jail Expansion*

**THE QUORUM COURT PLACED THIS ITEM ON THE BALLOT.** The ICC and the ICC have endorsed this initiative.

**THE JAIL WAS DESIGNED** nearly 30 years ago when the projected growth for Benton County was only 178,072. As of 2020, Benton County has approximately 284,333 residents with projected growth to reach nearly 545,000 by 2045. One of the side effects of incredible growth is unfortunately the increased needs and strains on our criminal justice system. Currently, the Benton County Jail is over capacity by nearly 20% and continuing to grow. They do not have the space for mental health assessments, drug and alcohol rehabilitation, and other rehabilitation programs. Additionally, as a result of the overcrowding courts cannot adequately prosecute misdemeanors which has resulted in increased recidivism and lack of justice for crime victims. It is our understanding that you will be asked to consider a half-cent sales tax increase to assist in the funding for a jail expansion and on-going operational cost to ensure our community is safe.

***Note: we do not have the current language but will link it to our website as soon as it is released.***

# LOCAL

# BALLOT INITIATIVE