



STATE OF ARKANSAS
THE ATTORNEY GENERAL
LESLIE RUTLEDGE

Opinion No. 2015-044

April 29, 2015

The Honorable Mark Martin
Secretary of State
500 Woodlane Street
State Capitol, Room 256
Little Rock, Arkansas 72201-1094

Dear Mr. Martin:

This is in response to your request for my opinion on the effective date of legislation passed during the Ninetieth Arkansas General Assembly. Your request pertains to legislation that did not carry an emergency clause or a specified effective date.

Acts of the General Assembly with no emergency clause or specified effective date become effective ninety days after adjournment of the session at which they were enacted.¹ This rule stems from Amendment 7 to the Constitution of Arkansas,² which gives the people “ninety days after the final adjournment of the session” to file referendum petitions.³ The day of adjournment is not counted, as it is not a full day during which petitions may be filed.

Your request indicates that the General Assembly adjourned *sine die* on April 22, 2015. Starting with the first full day after adjournment, and counting ninety full

¹ *Fulkerson v. Refunding Board*, 201 Ark. 957, 147 S.W.2d 980 (1941).

² Codified at Ark. Const. art. 5, § 1.

³ *Id.* (under “Referendum”).

days, acts with no emergency clause or specified effective date become effective on the ninety-first day, which in this case is July 22, 2015.

Deputy Attorney General Elisabeth A. Walker prepared the foregoing opinion, which I hereby approve.

Sincerely,

A handwritten signature in blue ink, appearing to be 'LR', is written over the printed name of Leslie Rutledge.

LESLIE RUTLEDGE
Attorney General

LR/EAW:cyh