



TIM GRIFFIN
ATTORNEY GENERAL

Opinion No. 2025-032

May 12, 2025

The Honorable Cole Jester
Secretary of State
500 Woodlane Street
State Capitol, Suite 256
Little Rock, Arkansas 72201

Dear Secretary Jester:

I am writing in response to your request for my opinion on the effective date of acts passed without an emergency clause or other specified effective date at the regular session of the 95th Arkansas General Assembly, which adjourned *sine die* May 5, 2025. As explained below, the effective date is August 5, 2025.

Under the Arkansas Constitution, acts without an emergency clause or a specified effective date become effective the day after the deadline to file a referendum petition.¹ Referenda petitions must be filed within 90 days “after the final adjournment of the session.”² The 90-day window begins on the first full day after adjournment. If the 90th day falls on a weekend or legal holiday, the deadline extends to the next business day.³

In this case, the 90-day window starts on May 6 (the first full day after final adjournment) and would conclude on Sunday, August 3, 2025. But since Sunday is not a day on which referenda petitions can be filed, the deadline extends to the next business day: Monday, August 4, 2025. Thus, acts without an emergency clause or a specified effective date become effective on Tuesday, August 5, 2025.

¹ See Ark. Const. art. 5, § 1; *Fulkerson v. Refunding Board*, 201 Ark. 957, 962, 147 S.W.2d 980, 983 (1941).

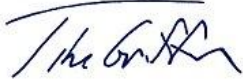
² Ark. Const. art. 5, § 1 (under “Referendum”).

³ See generally *Richardson v. Martin*, 2014 Ark. 429, 6, 444 S.W.3d 855, 859 (holding that the deadline for a ballot initiative petition that fell on a legal holiday must be extended to the next business day).

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Senior Assistant Attorney General Kelly Summerside prepared this opinion, which I hereby approve.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Griffin", with a horizontal line above it.

TIM GRIFFIN
Attorney General