



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

July 10, 2024

Sent via email & regular mail

Lauren Cowles
P.O. Box 7866
Little Rock, AR 72217

RE: Proposed Constitutional Amendment
Popular Name: Arkansas Abortion Amendment of 2024

Dear Ms. Cowles:

The Secretary of State is officially charged under Article 5, § 1 of the Arkansas Constitution to review statewide initiatives and referenda petitions. The first part of our review is to ensure that the sponsor has complied with all statutory requirements for submitting a petition. Because you failed at this first step, it is my duty to reject your submission.

I have determined that you failed to comply with Ark. Code Ann. § 7-9-111(f)(2). That provision requires the sponsor to submit (1) a statement identifying the paid canvassers by name, and (2) a signed statement indicating that the sponsor has provided a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook and explained the requirements under Arkansas law for obtaining signatures on the petition to each paid canvasser before the paid canvasser solicited signatures. In *McDaniel v. Spencer* in 2015, the Arkansas Supreme Court expressly found this requirement to be constitutional. You did not submit any statements meeting this requirement. By contrast, other sponsors of initiative petitions complied with this requirement. Therefore, I must reject your submission.

Even if your failure to comply with Ark. Code Ann. § 7-9-111(f)(2) did not require me to reject your submission outright, it would certainly mean that signatures gathered by paid canvassers in your submission could not be counted for any reason. You submitted an affidavit attesting that the total number of signatures submitted was 101,525. As a courtesy to you, I instructed my office to determine the initial count of signatures gathered by paid canvassers in your putative submission. That number was 14,143. After removing those signatures, and assuming your attestation as valid, 87,382 volunteer signatures remain—3,322 signatures less than the required 90,704. Therefore, even if I could accept your submission, I would be forced to find that your petition is insufficient on its face for failure to obtain the required 90,704 signatures.

Sincerely,


John Thurston
Arkansas Secretary of State