

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 699

By: Senator M. Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CAMPAIGN FINANCE;
TO AMEND THE LAW CONCERNING MANDATORY ELECTRONIC
REPORT FILING; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING CAMPAIGN
FINANCE; TO AMEND THE LAW CONCERNING
MANDATORY ELECTRONIC REPORT FILING; AND
TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 7-6-230(a), concerning the alternative to electronic filing of reports, is amended to read as follows:

(a)(1) A candidate required to file carryover fund reports in electronic form under § 7-6-203 and campaign contribution and expenditure reports in electronic form under § 7-6-207 may file reports in paper form under this section ~~if:~~

~~(A) The candidate does not have access to the technology necessary to submit reports in electronic form; and~~

~~(B) Submitting reports in electronic form would constitute a substantial hardship for the candidate.~~

(2)(A) A candidate filing reports in paper form under subdivision (a)(1) of this section shall submit with his or her first paper report in an election cycle a notarized affidavit on a form prepared by the Secretary of State ~~declaring that:~~



~~(i) The candidate does not have access to the technology necessary to submit reports in electronic form;~~

~~(ii) Submitting reports in electronic form would constitute a substantial hardship for the candidate; and~~

~~(iii) The candidate agrees to file all other reports in paper form for the duration of the election cycle.~~

(B) The Secretary of State shall:

(i) Not accept a report in paper form under subdivision (a)(1) of this section if a notarized affidavit was not submitted with the first paper report in the election cycle;

(ii) Provide written notice to the candidate within five (5) business days if the report in paper form was not filed or accepted; and

(iii) Provide the reason the report in paper form was not filed or accepted.

(C) The Secretary of State shall develop electronic reporting forms, including without limitation:

(i) A cover sheet for a reporting period;

(ii) Campaign contribution reports; and

(iii) Campaign expenditure reports.

(D) The Secretary of State shall develop electronic reporting forms in a manner that allows a candidate to:

(i) Fill out an electronic form for each reporting period in an electronic word processing file, portable document format, or equivalent format that may be saved in a read-only format;

(ii) Upload the electronic reporting forms electronically by an upload to the internet or delivered by electronic media to the Secretary of State; and

(iii) Combine all electronic forms into a single document that is available to the public in an electronically searchable format.

SECTION 2. DO NOT CODIFY. Duty of Secretary of State.

The Secretary of State shall:

(1) Develop criteria for an updated and simplified electronic campaign finance online reporting system by January 1, 2022; and

(2) Develop a timeline of the expected time to implement the updated and simplified electronic campaign finance online reporting system.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the online campaign finance reporting forms and system of the Secretary of State result in inaccurate reports; that transparency in campaign finance reporting is an important function of preserving the public trust; that ensuring the accuracy and ease of campaign finance reporting will ensure candidates are fully complying with campaign finance laws; and that this act is immediately necessary because the current electronic reporting system is difficult to use and creates inconsistencies in the campaign finance reporting and damages the public trust. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 4/29/21