

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
91st General Assembly  
Regular Session, 2017

*As Engrossed: H1/11/17*  
**A Bill**

HOUSE BILL 1012

By: Representatives Sabin, Tucker, V. Flowers, D. Ferguson, Leding, D. Whitaker  
By: Senators Elliott, L. Chesterfield, U. Lindsey, Maloch, E. Cheatham, S. Flowers

### **For An Act To Be Entitled**

AN ACT TO AMEND PROVISIONS CONCERNING POLITICAL ACTION COMMITTEE CONTRIBUTIONS; TO PROHIBIT DIRECT CONTRIBUTIONS FROM POLITICAL ACTION COMMITTEES TO CANDIDATES; TO AMEND ARTICLE 19, SECTION 28, OF THE ARKANSAS CONSTITUTION; TO AMEND PROVISIONS OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.

### **Subtitle**

TO AMEND PROVISIONS CONCERNING POLITICAL ACTION COMMITTEES; AND TO PROHIBIT DIRECT CONTRIBUTIONS FROM POLITICAL ACTION COMMITTEES TO CANDIDATES.

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

SECTION 1. Arkansas Constitution, Article 19, § 28 (a) and (b), concerning contributions, is amended to read as follows:

(a)(1) It is unlawful for a candidate for public office or a person acting on the candidate's behalf to:

(A) Accept a contribution from other than:

(i) An individual;

(ii) A political party that meets the definition of a political party under Arkansas Code § 7-1-101;

(iii) A political party that meets the requirements of Arkansas Code § 7-7-205;



- (iv) A county political party committee; or
- (v) A legislative caucus committee; ~~or~~
- ~~(vi) An approved political action committee; or~~

(B) Accept a contribution in excess of the maximum amount allowed by law per election from:

- (i) An individual;
- (ii) A political party that meets the definition of a political party under Arkansas Code § 7-1-101;
- (iii) A political party that meets the requirements of Arkansas Code § 7-7-205;

- (iv) A county political party committee; or
- (v) A legislative caucus committee; or
- ~~(vi) An approved political action committee.~~

(C) Accept a contribution from an approved or prohibited political action committee.

(2) A candidate may accept a contribution or contributions up to the maximum amount allowed by law from a prospective contributor for each election, whether opposed or unopposed.

(b)(1) It is unlawful for an individual, a political party that meets the definition of a political party under Arkansas Code § 7-1-101, a political party that meets the requirements of Arkansas Code § 7-7-205, a county political party committee, a legislative caucus committee, or an approved political action committee to make a contribution to a candidate for public office, or to a person acting on the candidate's behalf, that in the aggregate exceeds the maximum amount allowed by law.

(2) The following entities may make a contribution or contributions up to the maximum amount allowed by law to a candidate, whether opposed or unopposed, for each election:

- (A) An individual;
- (B) A political party that meets the definition of a political party under Arkansas Code § 7-1-101;
- (C) A political party that meets the requirements of Arkansas Code § 7-7-205;

- (D) A county political party committee; or
- (E) A legislative caucus committee; ~~or~~ .
- ~~(F) An approved political action committee.~~

SECTION 2. Arkansas Constitution, Article 19, § 28 (c)(1)(A), concerning contributions, is amended to read as follows:

(1)(A) "Approved political action committee" means any person that:

(i) Receives contributions from one (1) or more persons in order to make contributions to a ~~candidate~~, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee;

(ii) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and

(iii) Registers pursuant to Arkansas Code § 7-6-215 prior to making contributions.

SECTION 3. Arkansas Code § 7-6-201(1)(A), concerning campaign financing definitions and resulting from Initiated Act 1 of 1990 and Initiated Act 1 from 1996, is amended to read as follows:

(1)(A) "Approved political action committee" means any person that:

(i) Receives contributions from one (1) or more persons in order to make contributions to ~~candidates~~, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees;

(ii) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and

(iii) Registers pursuant to § 7-6-215 prior to making contributions.

SECTION 4. Arkansas Code § 7-6-201(15)(A), concerning campaign financing contributions and resulting from Initiated Act 1 of 1990 and Initiated Act 1 from 1996, is amended to read as follows:

(15)(A) "Prohibited political action committee" means any person that receives contributions from one (1) or more persons in order to make contributions to ~~candidates~~, ballot question committees, legislative question committees, political parties, county political party committees, or other

political action committees but that does not meet the requirements of an approved political action committee.

SECTION 5. Arkansas Code § 7-6-203(a)-(d), concerning contributions, limitations, acceptance or solicitation, use as personal income, and disposition and resulting from Initiated Act 1 of 1990 and Initiated Act 1 from 1996, is amended to read as follows:

(a)(1)(A) It shall be unlawful for any candidate for any public office or for any person acting on the candidate's behalf to accept campaign contributions in excess of two thousand seven hundred dollars (\$2,700) per election from:

- (i) An individual;
- (ii) A political party that meets the definition of a political party under § 7-1-101;
- (iii) A political party that meets the requirements of § 7-7-205;
- (iv) A county political party committee; or
- (v) A legislative caucus committee; ~~or~~ .
- ~~(vi) An approved political action committee.~~

(B) It shall be unlawful for a candidate for a public office or for any person acting on the candidate's behalf to accept a campaign contribution from a prospective contributor other than those under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section.

(2) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section for each election, whether opposed or unopposed.

(b)(1) It shall be unlawful for any person permitted to make a contribution under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section to make a contribution to a candidate for any public office or to any person acting on the candidate's behalf, which in the aggregate exceeds two thousand seven hundred dollars (\$2,700) per election.

(2) A person permitted to make a contribution or contributions under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section may make a contribution or contributions up to the maximum amount to a candidate for each election, whether opposed or unopposed.

(c) The limitation shall not apply to loans made by a candidate from his or her own personal funds to the campaign, contributions made by a candidate from his or her personal funds to the campaign, or to personal loans made by financial institutions to the candidate and applied to his or her campaign.

(d)(1) It shall be unlawful for any candidate for any public office or any person acting in the candidate's behalf to accept any contribution from an approved political action committee or a prohibited political action committee for any election.

(2) It shall be unlawful for any approved political action committee or prohibited political action committee to make a contribution to a candidate for public office in an election.

(3) It shall be unlawful for any ballot question committee, legislative question committee, political party, county political party committee, or approved political action committee to accept any contribution from a prohibited political action committee.

(4) It shall be unlawful for any prohibited political action committee to make a contribution to:

- (A) A ballot question committee;
- (B) A legislative question committee;
- (C) A political party;
- (D) A county political party committee; ~~or~~
- (E) An approved political action committee; or
- (F) A candidate for public office in an election.

SECTION 6. Arkansas Code § 7-6-215(a)(4)(A), concerning registration and reporting by approved political action committees and resulting from Initiated Act 1 of 1990 and Initiated Act 1 from 1996, is amended to read as follows:

(4)(A) An out-of-state political action committee, including a federal political action committee, shall be required to comply with the registration and reporting provisions of this section if the committee contributes more than five hundred dollars (\$500) in a calendar year to ~~candidates,~~ ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees within this state.

*/s/Sabin*