

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1893

By: Representative Della Rosa

For An Act To Be Entitled

AN ACT TO AMEND CAMPAIGN FINANCE REPORTING
REQUIREMENTS FOR INDEPENDENT EXPENDITURES; TO AMEND
PORTIONS OF THE ARKANSAS CODE RESULTING FROM
INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND CAMPAIGN FINANCE REPORTING
REQUIREMENTS FOR INDEPENDENT
EXPENDITURES; AND TO AMEND PORTIONS OF
THE ARKANSAS CODE RESULTING FROM
INITIATED ACT 1 OF 1996.

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

SECTION 1. Arkansas Code § 7-6-220(a)-(d), concerning reporting of independent expenditures and resulting from Initiated Act 1 of 1996, are amended to read as follows:

(a) A person who or an independent expenditure committee which makes independent expenditures in an aggregate amount or value in excess of five hundred dollars (\$500) in a calendar year shall file the following reports with the Secretary of State:

~~(1) No later than thirty (30) days prior to preferential primary elections, general elections, and special elections covering the period ending thirty five (35) days prior to such elections;~~

~~(2) No later than seven (7) days prior to preferential primary elections, runoff elections, general elections, and special elections covering the period ending ten (10) days prior to such elections; and~~



~~(3) As for a final report, no later than thirty (30) days after the end of the month in which the last election is held at which the candidate seeks nomination or election.~~

(1)(A) A preelection report, to be filed no later than seven (7) days before a preferential primary election, runoff election, general election, or special election, in which the name of the candidate with respect to whom the independent expenditure is made appears on the ballot.

(B) The preelection report shall include all contributions received and expenditures made in connection with the independent expenditure between the period covered by the previous report and the period ten (10) days before the election.

(C) If the preelection report is filed for a runoff election, the preelection report shall cover all contributions received and expenditures made in furtherance of the independent expenditure during that period of time that begins after the date of the election from which the runoff arose and ends ten (10) days before the runoff election;

(2)(A) A monthly report to be filed within fifteen (15) calendar days after the end of each calendar month.

(B) The monthly report shall contain all information between the period covered by the initial registration or previous monthly report and all contributions and expenditures made in connection with the independent expenditure not previously reported.

(C)(i) The December monthly report shall indicate whether or not the independent expenditure committee intends to renew its registration for the next calendar year.

(ii) An independent expenditure committee indicating that it will renew its registration for the next calendar year shall submit its registration form for the next calendar year at the same time as the December monthly report.

(iii) The Secretary of State shall not accept a December monthly report if:

(a) The independent expenditure committee indicates that it intends to renew its registration for the next calendar year; and

(b) The registration form for the next calendar year is not submitted at the same time as the December monthly

report.

(iv) If a December monthly report is filed in paper form, the form used by the Secretary of State for filing shall require the independent expenditure committee to indicate whether or not it intends to renew its registration for the next calendar year.

(v) The format used by the Secretary of State for the filing of independent expenditure committee reports in electronic form shall require an independent expenditure committee indicating that it intends to renew its registration for the next calendar year to renew its registration for the next calendar year before submitting its December monthly report; and

(3) A final report including all information to be filed within fifteen (15) calendar days of the date the independent expenditure committee ceases to exist.

(b) ~~Such reports~~ Each report shall include:

(1) In the case of an individual making ~~such~~ an expenditure, the name, address, telephone number, principal place of business, employer, and occupation of the individual;

(2) In the case of a committee making an expenditure, the name, address, employer, and occupation of its officers;

(3) In the case of a person who is not an individual making an expenditure, the principal name of the entity, the address, and the name, address, employer, and occupation of its officers; ~~and~~

(4) The same information required of candidates for state or district office ~~other than school district, township, municipal, or county office~~ as set forth in § 7-6-207(b)(1);

(A) The total amount of contributions received with loans stated separately, the total amount of expenditures made in connection with an independent expenditure during the filing periods, and the cumulative amount of those totals for the entire election cycle;

(B) The name and address of each person who made a contribution or contributions that in the aggregate exceeded fifty dollars (\$50);

(C) The contributor's principal place of business, employer, occupation, the amount contributed, the date the contribution was accepted, and the aggregate contributed for each election;

(D) The name and address of each person who contributed a nonmoney item, together with a description of the item, the date of receipt, and the value, not including volunteer service by individuals;

(E) A list of all independent expenditures by category, including without limitation the:

(i) Amount of the independent expenditure;

(ii) Name and address of any person to whom the independent expenditure was made; and

(iii) Date the independent expenditure was made;

(F) A list of all independent expenditures by categories, including without limitation:

(i) Television, radio, print, or other advertising;
and

(ii) Direct mail;

(G) The total amount of all nonitemized independent expenditures made during the filing period; and

(H) The current balance of funds available for independent expenditures; and

(5) For each independent expenditure reported, the report shall include:

(A) The candidate the independent expenditure relates to;

(B) If the independent expenditure was in favor of or against the candidate; and

(C) If the independent expenditure was for advertising, the specific form or method of advertisement.

(c) The information required in ~~§ 7-6-207(b)(1)~~ subsection (b) of this section may be provided in the form of a schedule or schedules attached to the ~~report reports~~.

(d) The ~~report reports~~ shall be verified by an affidavit of an officer of the independent expenditure committee stating that to the best of his or her knowledge and belief:

(1) the The information disclosed is a complete, true, and accurate financial statement of the independent expenditure committee's contributions received and made-; and

(2) The independent expenditure committee has complied with all requirements and restrictions found in § 7-1-103(a)(7) and § 7-6-228(c)(2).