

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

SENATE BILL 260

By: Senators Hester, B. Ballinger

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS CONCERNING POLITICAL ACTION COMMITTEE CONTRIBUTIONS; TO PROHIBIT DIRECT CONTRIBUTIONS BETWEEN POLITICAL ACTION COMMITTEES; 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 COMMITTEE CONTRIBUTIONS; AND TO PROHIBIT DIRECT CONTRIBUTIONS BETWEEN POLITICAL ACTION COMMITTEES.

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

SECTION 1. 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, or 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 2. Arkansas Code § 7-6-201(1)(A), concerning campaign financing definitions and resulting from Initiated Act 1 of 1990 and Initiated Act 1 of 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, or 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 3. Arkansas Code § 7-6-201(15)(A), concerning campaign financing definitions and resulting from Initiated Act 1 of 1990 and Initiated Act 1 of 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, or county political party committees, ~~or other political action committees~~ but that does not meet the requirements of an approved political action committee.

SECTION 4. Arkansas Code § 7-6-203(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 of 1996, is amended to add an additional subdivision to read as follows:

(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 a prohibited political action committee for any election.

(2) It shall be unlawful for any 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 prohibited political action committee.

(5)(A) It shall be unlawful for an approved political action committee to make a direct contribution to an approved political action committee or to a prohibited political action committee.

(B) A direct contribution does not include the purchase of a ticket to a ticketed event if the amount paid for the ticket is equal to the stated or published face value of the ticket and does not constitute or include a gift.

SECTION 5. 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 of 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, or county political party committees, ~~or other political action committees~~ within this state.

SECTION 6. Arkansas Code § 7-6-215(d)(1), 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:

(d)(1) Within fifteen (15) calendar days after the end of each calendar quarter, a political action committee shall file a quarterly report with the Secretary of State, including the following information:

(A) The total amount of contributions received and the total amount of contributions made during the filing period and the cumulative amount of those totals;

(B) The current balance of political action committee funds;

(C) The name and address of each person that made a contribution or contributions to the political action committee that exceeded five hundred dollars (\$500) in the aggregate during the calendar year, the contributor's place of business, employer, occupation, the date of the contribution, the amount contributed, and the total contributed for the year;

(D) The name and address of each candidate, ballot question committee, legislative question committee, political party, or county political party committee, ~~or other political action committee, if any,~~ to whom or which the political action committee made a contribution or contributions that exceeded fifty dollars (\$50.00) in the aggregate during the filing period, with the amount contributed and the election for which the contribution was made;

(E) The name and address of each candidate, ballot question committee, legislative question committee, political party, or county political party committee, ~~or other political action committee, if any,~~ to whom or which the political action committee contributed a nonmonetary item, together with a description of the item, the date the item was contributed, and the value of the item; and

(F) The total amount of expenditures made for administrative expenses and for each single expenditure that exceeded one hundred dollars (\$100), an itemization, including the amount of the expenditure, the name and address of the person to whom the expenditure was made, and the date the expenditure was made.