

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 691

By: Senator K. Hammer
By: Representative Beck

For An Act To Be Entitled

AN ACT TO IDENTIFY PAID ADVERTISEMENTS FUNDED BY
TAXPAYER FUNDS; TO AMEND ARKANSAS LAW CONCERNING
ADVERTISING USING THE IMAGE OR VOICE OF AN ELECTED
OFFICIAL; AND FOR OTHER PURPOSES.

Subtitle

TO IDENTIFY PAID ADVERTISEMENTS FUNDED
BY TAXPAYER FUNDS; AND TO AMEND ARKANSAS
LAW CONCERNING ADVERTISING USING THE
IMAGE OR VOICE OF AN ELECTED OFFICIAL.

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

SECTION 1. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

25-1-125. Taxpayer funds used for advertisement.

(a)(1) All articles, statements, or communications using the image of an elected official appearing in any newspaper printed or circulated in this state for the publication of which a consideration is paid or to be paid for by federal, state, or county taxpayer funds shall clearly contain the words:

(A) "Paid advertisement" or "paid ad" and the name of the state entity, county, or constitutional officer that paid for the ad; or

(B) "Paid for by", "sponsored by", or "furnished by" and the name of the state entity, county, or constitutional officer that paid for the advertisement.

(2) Both the person submitting the articles, statements, or



communications and the elected official whose image is used shall be responsible for including the required disclaimer.

(b)(1) All articles, statements, or communications using the image or voice of an elected official appearing in any radio, television, or any other electronic medium for the publication of which a consideration is paid or to be paid for by federal, state, or county taxpayer funds shall clearly contain the words:

(A) "Paid advertisement" or "paid ad" and the name of the state entity, county, or constitutional officer that paid for the advertisement; or

(B) "Paid for by", "sponsored by", or "furnished by" and the name of the state entity, county, or constitutional officer that paid for the advertisement.

(2) Both the person placing the articles, statements, or communications and the elected official whose image or voice is used shall be responsible for including the required disclaimer.

(c) This section does not apply to:

(1) Articles, statements, or communications intended or calculated to influence the vote of any elector in any election and subject to the restrictions under § 7-1-103; or

(2) Political advertisements, articles, statements, or communications paid for by a candidate for elective office if the political advertisements, articles, statements, or communications are paid for with the candidate's campaign funds and not state funds.

(d) Any citizen may file a complaint with the Arkansas Ethics Commission against an elected official who violates this section.