

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

State of Arkansas
95th General Assembly
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As Engrossed: H4/1/25 S4/8/25

A Bill

HOUSE BILL 1800

By: Representative McAlindon

By: Senator M. McKee

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING DISCLOSURE FOR CAMPAIGN FINANCE; TO REQUIRE DISCLOSURE BY A REPRESENTATIVE OF A HOSTILE FOREIGN PRINCIPAL; TO AMEND PORTIONS OF THE ARKANSAS CODE THAT RESULTED FROM INITIATED ACT 1 OF 1990; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING DISCLOSURE FOR CAMPAIGN FINANCE; TO REQUIRE DISCLOSURE BY A REPRESENTATIVE OF A HOSTILE FOREIGN PRINCIPAL; AND TO AMEND PORTIONS OF THE ARKANSAS CODE THAT RESULTED FROM INITIATED ACT 1 OF 1990.

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

SECTION 1. Arkansas Code § 7-6-217(g)(1) - (3), concerning the creation of the Arkansas Ethics Commission and resulting from Initiated Act 1 of 1990, is amended to read as follows:

(g) The commission shall have the authority to:

(1) Under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., promulgate reasonable rules to implement and administer the requirements of this subchapter, as well as § 7-1-114 [repealed]; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-11-718; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.;



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§ 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; and Arkansas Constitution, Article 19, §§ 28-30; and to govern procedures before the commission, matters of commission operations, and all investigative and disciplinary procedures and proceedings;

(2) Issue advisory opinions and guidelines on the requirements of § 6-24-101 et seq.; § 7-1-103(a)(1)-(4), (6), and (7); § 7-1-114 [repealed]; this subchapter; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-11-718; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; and Arkansas Constitution, Article 19, §§ 28-30;

(3) After a citizen complaint has been submitted to the commission, investigate alleged violations of § 6-24-101 et seq.; § 7-1-103(a)(1)-(4), (6), and (7); § 7-1-114 [repealed]; this subchapter; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-11-718; § 21-1-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; and Arkansas Constitution, Article 19, §§ 28-30; and render findings and disciplinary action thereon;

SECTION 2. Arkansas Code § 7-6-218(a)(1), concerning citizen complaints filed with the Arkansas Ethics Commission and resulting from Initiated Act 1 of 1990, is amended to read as follows:

(a)(1) Any citizen may file a complaint with the Arkansas Ethics Commission against a person covered by this subchapter, by § 6-24-101 et seq.; § 7-1-103(a)(1)-(4), (6), or (7); § 7-1-114 [repealed]; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 21-1-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; and Arkansas Constitution, Article 19, §§ 28-30, for an alleged violation of the subchapters or sections. For purposes of this subdivision (a)(1), the Arkansas Ethics

Commission shall be considered a citizen.

SECTION 3. Arkansas Code § 7-6-218(b)(1)(A), concerning citizen complaints filed with the Arkansas Ethics Commission and resulting from Initiated Act 1 of 1990, is amended to read as follows:

(b)(1)(A) Upon a complaint stating facts constituting an alleged violation signed under penalty of perjury by any person, the Arkansas Ethics Commission shall investigate the alleged violation of this subchapter or § 6-24-101 et seq.; § 7-1-103(a)(1)-(4), (6), or (7); § 7-1-114 [repealed]; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 21-1-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; and Arkansas Constitution, Article 19, §§ 28-30.

SECTION 4. Arkansas Code § 7-6-218(b)(4), concerning citizen complaints filed with the Arkansas Ethics Commission and resulting from Initiated Act 1 of 1990, is amended to read as follows:

(4) If the Arkansas Ethics Commission finds a violation of this subchapter; § 6-24-101 et seq.; § 7-1-103(a)(1)-(4), (6), or (7); § 7-1-114 [repealed]; § 21-1-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; or Arkansas Constitution, Article 19, §§ 28-30, then the Arkansas Ethics Commission shall do one (1) or more of the following, unless good cause be shown for the violation:

(A) Issue a public letter of caution or warning or reprimand;

(B)(i) Notwithstanding the provisions of §§ 7-6-202, 7-9-409, 21-8-403, ~~and 21-8-903~~, and 21-8-1105, impose a fine of not less than fifty dollars (\$50.00) nor more than three thousand five hundred dollars (\$3,500) for negligent or intentional violation of this subchapter; § 6-24-101 et seq.; § 7-1-114 [repealed]; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-

401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 21-8-1101 et seq.; § 25-1-125; or Arkansas Constitution, Article 19, §§ 28-30.

(ii) A fine for violating § 7-1-114 [repealed] shall not exceed one hundred fifty dollars (\$150).

(iii) The Arkansas Ethics Commission shall adopt rules governing the imposition of such fines in accordance with the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(iv) All moneys received by the Arkansas Ethics Commission in payment of fines shall be deposited into the State Treasury as general revenues;

(C) Order the respondent to file or amend a statutorily required disclosure form; or

(D)(i) Report its finding, along with such information and documents as it deems appropriate, and make recommendations to the proper law enforcement authorities.

(ii) When exercising the authority provided in this subdivision (b)(4), the Arkansas Ethics Commission is not required to make a finding of a violation of the laws under its jurisdiction.

Subchapter 11 — Disclosure by Representatives of a Hostile Foreign Principal

21-8-1101. Legislative findings.

The General Assembly finds that:

(1) The voters, citizens, and policymakers of this state are entitled to transparency in the political and propaganda activities of organizations that may be controlled by or under the influence of foreign countries hostile to the interests of this state and of the United States;

(2) In an increasingly globalized world, determining whether an organization's political and propaganda activities are funded by hostile foreign interests is often difficult; and

(3) Legislation is needed to ensure the transparency necessary to allow voters, citizens, and policymakers to evaluate whether political and propaganda activities are funded by potentially hostile foreign actors.

21-8-1102. Definitions.As used in this subchapter:

(1) "Foreign-supported political organization" means a political party or a domestic partnership, association, corporation, organization, or any other combination of persons that has, within the past five (5) calendar years, received money or other things of value from a hostile foreign principal or a representative of a hostile foreign principal and that engages in political activity;

(2) "Hostile foreign nation" means the:

(A) People's Republic of China;

(B) Russian Federation;

(C) Democratic People's Republic of Korea; or

(D) Islamic Republic of Iran;

(3) "Hostile foreign principal" means:

(A) A government of a hostile foreign nation, a political party of a hostile foreign nation, or any member of a political party of a hostile foreign nation;

(B) A nonresident alien of a hostile foreign nation; or

(C) A partnership, association, corporation, organization, or other combination of persons organized under the law of or having its principal place of business in a hostile foreign nation;

(4) "Political activity" means an activity that is performed to influence an agency or public official of this state, a local government entity within this state, or the public within this state, with reference to:

(A) Formulating, adopting, or changing the policies or laws of this state; or

(B) Electing or opposing a candidate for local or state public office, not including campaign donations; and

(5) "Representative of a hostile foreign principal" means a person:

(A) Who acts as an agent, employee, representative, or servant, or otherwise acts at the order, request, or under the direction or control of a hostile foreign principal;

(B) Whose actions are financed in whole or in part by a hostile foreign principal; and

(C) Who engages in political activity.

21-8-1103. Transparency in representation of hostile foreign principals.

(a)(1) Except as otherwise provided in this subchapter, a person shall not act as a representative of a hostile foreign principal unless the person has filed a true and complete registration statement with the Secretary of State as required by this subchapter.

(2) Except as otherwise provided in this section, a person who becomes a representative of a hostile foreign principal shall file a registration statement under oath with the Secretary of State within ten (10) days of the person's becoming a representative of a hostile foreign principal.

(3) The obligation of a representative of a hostile foreign principal to file a registration statement, after the tenth day of becoming a representative of a hostile foreign principal, shall continue from day to day, and termination of status as a representative of a hostile foreign principal shall not relieve the representative of a hostile foreign principal from the obligation to file a registration statement for the period during which he or she was a representative of a hostile foreign principal.

(b) The registration statement required under this section shall include the following:

(1) The registrant's:

(A) Name;

(B) Principal business address;

(C) Other business addresses in the United States or elsewhere; and

(D) Residence addresses, if any; and

(2) A comprehensive statement of the nature of the registrant's business.

(c) A registered representative of a hostile foreign principal under this subchapter shall update the registration statement required under this section no less frequently than quarterly.

21-8-1104. Transparency in foreign-supported political organizations.

(a) No later than January 31, 2026, and each following year, each foreign-supported political organization shall register with the Secretary of

State and provide the following information:

(1) The name of the foreign-supported political organization, its business address, and upon request the names, titles, and addresses of all officers and directors of the foreign-supported political organization;

(2) If the foreign-supported political organization is affiliated with or a chapter of a national organization, the name of the national organization, its address, and the names and addresses of its officers and directors;

(3) A detailed statement of any expenditures of money or other things of value made by the foreign-supported political organization within the prior calendar year to influence an agency or public official of this state, a local government entity within this state, or the public within this state, with reference to formulating, adopting, or changing the policies or laws of this state or electing a candidate to local or state public office; and

(4) A detailed statement of all money or other thing of value received by the foreign-supported political organization from a hostile foreign principal or a representative of a hostile foreign principal during the prior calendar year.

(b) A foreign-supported political organization under this subchapter shall update the registration statement required under this section no less frequently than annually.

21-8-1105. Penalties for violation.

(a) Upon receipt of a complaint that a representative of a hostile foreign principal or a foreign-supported political organization has failed to comply with the registration and reporting requirements of this subchapter, or upon his or her own determination, the Secretary of State may investigate and assess penalties for the violation of this subchapter.

(b) The Secretary of State may assess the following civil penalties:

(1) For any violation of this subchapter, up to five hundred dollars (\$500) per violation; and

(2) For willful or repeated violations of this subchapter, up to two thousand dollars (\$2,000) per violation.

21-8-1106. Rules.

The Secretary of State shall promulgate rules to:

- (1) Create and maintain registration statement forms as described under this subchapter; and
- (2) Implement this subchapter.

/s/McAlindon