

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Flanagin**

# **A Bill**

**ACT 1243 OF 1993**  
**HOUSE BILL 1138**

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

8 "AN ACT TO AMEND ARKANSAS CODE §§7-6-207, 7-6-208, 7-6-209  
9 TO REQUIRE A CANDIDATE TO DISCLOSE ON THE FINAL REPORT  
10 WHICH OPTION UNDER ARKANSAS CODE §7-6-203(j) WAS USED TO  
11 DISPOSE OF ANY BALANCE OF CAMPAIGN FUNDS; AND FOR OTHER  
12 PURPOSES."

## **Subtitle**

14 "TO REQUIRE A CANDIDATE TO DISCLOSE ON THE FINAL REPORT  
15 WHICH OPTION WAS USED TO DISPOSE OF ANY BALANCE OF  
16 CAMPAIGN FUNDS."  
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18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code §7-6-207 is amended to read as follows:

22 "7-6-207. Reports of contributions - Candidates for office other than  
23 school district, township, municipal, or county office, etc.

24 (a) Reports Required. Except as provided in subsection (c) of this  
25 section, each candidate for office, other than a school district, township,  
26 municipal, or county office, or a person acting in the candidate's behalf,  
27 shall:

28 (1) No later than fifteen (15) days after the end of each month,  
29 file a report of all contributions received and expenditures made during the  
30 month for which the report is filed. The first report shall be filed for the  
31 month in which the candidate's cumulative contributions exceed five hundred  
32 dollars (\$500). The final monthly report shall be filed within thirty (30)  
33 days after the end of the month in which the last election is held at which  
34 the candidate seeks nomination or election.

35 (2) No later than seven (7) days prior to preferential primary  
36 elections, runoff elections, general elections, and special elections, file a

1 preelection report of all contributions received and expenditures made between  
2 the period covered by the previous monthly report and ten (10) days before the  
3 election.

4           (3) File quarterly supplemental reports of all contributions  
5 received and expenditures made after the time period covered by the final  
6 monthly report, such supplemental reports to be filed within fifteen (15) days  
7 of the end of each quarter. No supplemental report is required to be filed  
8 during any quarter in which the candidate has received no contributions and  
9 made no expenditures.

10           (4) Upon receiving the first monthly report from any candidate,  
11 the Secretary of State shall notify the candidate by mail of the deadlines for  
12 filing remaining monthly reports, preelection reports, and supplemental  
13 reports and furnish each candidate with the appropriate forms and instructions  
14 for complying with the deadlines. All reports shall be filed on the forms  
15 furnished by the Secretary of State.

16           (b) Contents of Reports.

17           (1) The campaign reports required by subsection (a) of this  
18 section shall indicate:

19                   (A) The total amount of contributions received and the  
20 total amount of expenditures made during the filing periods;

21                   (B) The name and address of each person, including the  
22 candidate, who made a contribution which, in the aggregate, exceeds one  
23 hundred dollars (\$100);

24                   (C) The contributor's principal place of business,  
25 employer, occupation, and the amount contributed;

26                   (D) A description of non-money items contributed, not  
27 including volunteer service by individuals;

28                   (E) An itemization of all single expenditures made which  
29 exceed one hundred dollars (\$100), including the amount of the expenditure and  
30 the name and address of any person, including the candidate, to whom the  
31 expenditure was made;

32                   (F) A list of all paid campaign workers and the amount the  
33 workers were paid;

34                   (G) A list of all expenditures by categories including, but  
35 not limited to, television, radio, print, and other advertising, direct mail,

1 office supplies, rent, travel, expenses, entertainment, and telephone; and

2 (H) The current surplus or debt of campaign funds.

3 (2) The final report shall also indicate which option under §7-6-  
4 203(j) was used to dispose of any *surplus* of campaign funds.

5 (3) The reports shall be filed with the Secretary of State and  
6 the county clerk in the county where the candidate resides.

7 (c)(1) Reports Not Required. A candidate or any person acting in the  
8 candidate's behalf who has not received contributions in excess of five  
9 hundred dollars (\$500) shall not be required to file any reports required  
10 under this section, other than the final monthly report. That candidate or  
11 person shall comply with the filings required by this section beginning with  
12 the first reporting period in which his total contributions exceed five  
13 hundred dollars (\$500).

14 (2) A candidate or any person acting in the candidate's behalf as  
15 covered by this section shall not be required to file the expenditure or  
16 supplemental reports identified in § 7-6-212.

17 (d)(1) Filings - Public Inspection. The Secretary of State shall  
18 establish a filing system for reports filed pursuant to this section. The  
19 reports shall be kept for eight (8) years from the date of filing and  
20 catalogued by candidate in chronological order and made available for public  
21 inspection. After the eight-year period, the Secretary of State shall turn the  
22 reports over to the Arkansas History Commission for maintenance and continued  
23 public inspection.

24 (2) The Secretary of State shall report within thirty (30) days  
25 to the Arkansas Ethics Commission the name of any candidate who has filed for  
26 office but who fails to file a report or files a late or incomplete report,  
27 excluding supplemental reports."

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29 SECTION 2. Arkansas Code §7-6-208(b) is amended to read as follows:

30 "(b)(1) Contents of Reports. The campaign contribution reports  
31 required by subsection (a) of this section shall indicate the total amount of  
32 contributions received during the filing periods and the name and address of  
33 each person, including the candidate, who has made a contribution which, in  
34 the aggregate, exceeds one hundred dollars (\$100), the contributor's principal  
35 place of business, employer, occupation, and the amount contributed. The

1 reports shall be filed with the county clerk in the county in which the  
2 election is held.

3           (2) The final report shall also indicate which option under §7-6-  
4 203(j) was used to dispose of any *surplus* of campaign funds.

5           (3) The county clerk shall notify each candidate by mail  
6 postmarked at least fourteen (14) days prior to the deadline for filing the  
7 preelection contribution reports and the final contribution reports and, at  
8 that time, furnish each candidate with the appropriate forms and instructions  
9 for complying with the deadlines. The final report notice shall also inform  
10 the candidates of the deadline for filing supplemental contribution reports  
11 and supplemental expenditure reports and shall include the forms and  
12 instructions for those reports."

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14           SECTION 3. Arkansas Code §7-6-209(b) is amended to read as follows:

15           "(b)(1) Contents of Reports. The campaign contribution reports  
16 required by subsection (a) of this section shall indicate the total amount of  
17 contributions received during the filing periods, and the name and address of  
18 each person, including the candidate, who has made a contribution which, in  
19 the aggregate, exceeds two hundred fifty dollars (\$250), the contributor's  
20 principal place of business, employer, occupation, and the amount contributed.  
21 The reports shall be filed with the county clerk in the county in which the  
22 election is held.

23           (2) The final report shall also indicate which option under §7-6-  
24 203(j) was used to dispose of any *surplus* of campaign funds.

25           (3) The county clerk shall notify each candidate by mail  
26 postmarked at least fourteen (14) days prior to the deadline for filing the  
27 preelection contribution reports and the final contribution reports and, at  
28 that time, furnish each candidate with the appropriate forms and instructions  
29 for complying with the deadlines. The final report notice shall also inform  
30 the candidates of the deadline for filing supplemental contribution reports  
31 and supplemental expenditure reports and shall include the forms and  
32 instructions for those reports."

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34           SECTION 4. All provisions of this act of a general and permanent nature  
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 5. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9 SECTION 6. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

11 /s/Rep. Flanagan

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13 APPROVED: 4/20/93

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