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# **RULES ON POLITICAL COMMITTEES**

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BUREAU OF  
LEGISLATIVE RESEARCH

**ARKANSAS ETHICS COMMISSION  
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**§ 500 Definitions.**

**(a) Approved political action committee** – As used in these rules, the term “approved political action committee” means any person who:

- (i) Receives contributions from one (1) or more persons in order to make contributions to candidates, campaign committees, ballot question committees, legislative question committees, political parties, 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)~~ ten thousand dollars (\$10,000) from any person in any calendar year; and
- (iii) Registers pursuant to Ark. Code Ann. § 7-6-215 prior to making contributions.

An approved political action committee shall not include an organized political party as defined in Ark. Code Ann. § 7-1-101, a county political party committee, the candidate’s own campaign committee, an exploratory committee, a ballot question committee, or a legislative question committee.

**(b) Contribution** – As used in these rules, the term “contribution” means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, or pledges or promises of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate or in support of or opposition to a ballot or legislative question. “Contribution” shall include membership dues paid to a committee but not filing fees paid to a committee by candidates.

“Contribution” includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and any payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee or persons whose expenditures the candidates or committee must report under subchapter 2 of chapter 6, Title 7 of the Arkansas Code. The term “contribution” further includes any transfer of anything of value received by a committee from another committee.

“Contribution” shall not include noncompensated, nonreimbursed, volunteer personal services or travel.

“Contribution and expenditure” shall not include activity sponsored and funded by a

political party that meets the definition of “political party” under Ark. Code Ann. § 7-1-101 or the requirements of Ark. Code Ann. § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings and shall not include nonpartisan activity designed to encourage individuals to register to vote or to vote or any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate.

**(c) County political party committee** – As used in these rules, the term “county political party committee” means a person that:

- (i) Is organized at the county level for the purpose of supporting its affiliate party and making contributions;
- (ii) Is recognized by an organized political party, as defined in Ark. Code Ann. § 7-1-101, as being affiliated with that political party;
- (iii) Receives contributions from one (1) or more persons in order to make contributions to candidates, campaign committees, ballot question committees, legislative question committees, political parties, political action committees, or other county political party committees;
- (iv) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and
- (v) Registers pursuant to Ark. Code Ann. § 7-6-226 prior to making contributions.

**(d) Legislative caucus committee** – As used in these rules, the term “legislative caucus committee” means a person that:

- (i) Is composed exclusively of members of the General Assembly;
- (ii) Elects or appoints officers and recognizes identified legislators as members of the organization; and
- (iii) Exists for research and other support of policy development and interests that the membership hold in common.

A “legislative caucus committee” includes, but is not limited to, a political party caucus of the General Assembly, the Senate, or the House of Representatives. An organization whose only nonlegislator member is the Lieutenant Governor or the Governor is a “legislative caucus committee” for purposes of these rules.

**(e) Person** – As used in these rules, the term “person” means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert. It shall also include a political party that meets the definition of “political party” under Ark. Code Ann.

§ 7-1-101 or the requirements of Ark. Code Ann. § 7-7-205, county political party committees, and legislative caucus committees.

(f) (1) "Printed campaign materials" means:

(A) Literature mailed to an elector that is intended to or calculated to influence the vote of an elector in an election in this state, including without limitation signs, banners, flyers, and pamphlets; and

(B) Yard signs and push cards intended to or calculated to influence the vote of an elector in an election in this state.

(2) "Printed campaign materials" does not mean political paraphernalia, including without limitation stickers, buttons, pens, T-shirts, nail files, or other similar trinkets.

(g) **Prohibited political action committee** – As used in these rules, the term "prohibited political action committee" means any person who receives contributions from one (1) or more persons in order to make contributions to candidates, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees, but that does not meet the requirements of an approved political action committee. A prohibited political action committee shall not include a political party that meets the definition of "political party" under Ark. Code Ann. § 7-1-101 or the requirements of Ark. Code Ann. § 7-7-205, the candidate's own campaign committee, a county political party committee, an exploratory committee, or a ballot or legislative question committee.

(h) **Remaining campaign funds** – As used in these rules, the term remaining campaign funds" means any balance of campaign funds over expenses incurred as of the day of the election except for remaining campaign funds and any funds required to repay loans made by the candidate from his or her personal funds to the campaign or to repay loans made by financial institutions to the candidate and applied to the campaign. "Remaining campaign funds" does not include campaign signs, campaign literature, and other printed campaign materials that were (i) purchased by the campaign; (ii) reported on the appropriate contribution and expenditure report for the campaign at the time of the purchase; and (iii) retained for use in a future campaign by the same candidate.

#### § 501 Registration by Political Action Committees

(a)(1)(A) To qualify as an approved political action committee, the committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions during a calendar year that exceed five hundred dollars (\$500) in the aggregate.

(B) Registration for a political action committee shall be ~~annually renewed by January 15, active~~ unless the committee has requested a termination of its registration ceased to exist.

(C) Except as provided in § 501(a)(1)(D) of these rules, registration shall be on forms provided by the Secretary of State, and the contents therein shall be verified by an affidavit of an officer of the committee.

(D) (i) Registration with the Secretary of State under these rules may be filed in electronic form through the official website of the Secretary of State if electronic filing is offered by the Secretary of State. An electronic registration shall be verified by an officer of the committee. The Arkansas Ethics Commission shall approve a format used by the Secretary of State for registering as a committee to ensure that all required information is requested.

(ii) A format used by the Secretary of State for registering as a committee in electronic form shall provide that a registration filed in electronic form be rejected by that office if it omits the name, street address, or telephone number of an individual designated as the resident agent for the committee.

(iii) The official website of the Secretary of State shall allow for searches of committee registration information filed in electronic form.

(2)(A) The committee shall designate a resident agent who shall be an individual who resides in the State of Arkansas.

(B) No contribution shall be accepted from a committee and no expenditure shall be made by a committee that has not registered and does not have a resident agent.

(3)(A) No approved political action committee shall accept a contribution from a prohibited political action committee as defined in § 500(h) of these rules.

(B) It shall be unlawful for a prohibited political action committee as defined in § 500(h) of these rules to make a contribution to:

- (i) A ballot question committee;
- (ii) A legislative question committee;
- (iii) A political party;
- (iv) A county political party committee;
- (v) An approved political action committee; or
- (vi) A prohibited political action committee.

(4)(A) An out-of-state committee, including a federal committee, shall be required to comply with the registration and reporting provisions of these rules if the committee contributes more than five hundred dollars (\$500) in a calendar year to candidates, campaign committees, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees within the State of Arkansas.

(B) § 501(a)(4)(A) of these rules shall not apply to: (i) the national committee of any political party that is registered with the Federal Election Commission; (ii) any federal

candidate committee that is registered with the Federal Election Commission; (iii) funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Ark. Code Ann. § 7-1-101; or (iv) funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Ark. Code Ann. § 7-1-101.

(b) The registration form of an approved political action committee shall contain the following information:

(1) The name, address, and, where available, phone number of the committee and the name, address, phone number, and place of employment of each of its officers, provided if the committee's name is an acronym, then both it and the words forming the acronym shall be disclosed;

(2) The professional, business, trade, labor, or other interests represented by the committee, including any individual business, organization, association, corporation, labor organization, or other group or firm whose interests will be represented by the committee;

(3) The full name and street address, city, state, and zip code of each financial institution the committee uses for purposes of receiving contributions or making expenditures within the State of Arkansas;

(4) The name, street address, and telephone number of the individual designated as the resident agent for the committee and, if the registration form is filed in paper form, a written acceptance of designation as a resident agent;

(5) A certification by a committee officer, under penalty of false swearing, that the information provided on the registration is true and correct; and

(6) A clause submitting the committee to the jurisdiction of the State of Arkansas for all purposes related to compliance with the provisions of subchapter 2 of chapter 6, Title 7 of the Arkansas Code.

(c) (1) When a committee makes a change to any of the information required in § 501(b) of these rules, an amendment is required to be filed within ten (10) days to reflect the change.

(2) A committee failing to file an amendment shall be subject to a late filing fee of ten dollars (\$10.00) for each day the change is not filed.

(d) Registration with the Secretary of State under this section may be filed in paper form if:

(1) The political action committee does not have access to the technology necessary to submit registration in electronic form;

(2) Submitting registration in electronic form would constitute a substantial hardship for the political action committee; and

(3) The political action committee submits a notarized affidavit that complies with Ark. Code Ann. § 7-6-231.

#### § 502 Reporting by Political Action Committees

(a) Within fifteen (15) calendar days after the end of each calendar quarter, approved political action committees are required to file a quarterly report with the Secretary of State, including the following information:

(1) The total amount of contributions received and the total amount of contributions made during the filing (i.e., reporting) period and the cumulative amount of those totals;

(2) The current balance of committee funds;

(3) The name and address of each person that made a contribution or contributions to the committee that exceeded ~~five hundred dollars (\$500)~~ two hundred dollars (\$200) 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;

(4) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee, if any, to whom or which the committee made a contribution or contributions that exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200) in the aggregate during the filing period, with the amount contributed and the election for which the contribution was made;

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

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

(b) The reports may be filed in electronic form through the official website of the Secretary of State if electronic filing is offered by the Secretary of State.



(c) The information required in § 502(a)(1) - (6) of these rules may be provided in the form of schedules attached to a report filed in paper form.

(d) The reports shall be verified by an affidavit of an officer of the committee stating that to the best of his or her knowledge and belief the information so disclosed is a complete, true, and accurate financial statement of the committee's contributions received and made.

(e) (1) A report is timely filed if it is filed in electronic form through the official website of the Secretary of State on or before the date that the report is due if the Secretary of State offers electronic filing of committee reports.

(2) (A) The Secretary of State shall receive reports in a readable electronic format that is acceptable to the Secretary of State and approved by the Arkansas Ethics Commission.

(B) The Arkansas Ethics Commission shall approve the format used by the Secretary of State for the filing of political action committee reports in electronic form to ensure that all required information is requested.

(C) The official website of the Secretary of State shall allow for searches of committee report information filed in electronic form.

(f) (1) A person required to file reports or register in electronic form under Ark. Code Ann. § 7-6-215 may file reports or register in paper form under this section if:

(A) The person does not have access to the technology necessary to submit reports or registration in electronic form; and

(B) Submitting reports or registration in electronic form would constitute a substantial hardship for the person.

(2) A person filing reports or registration in paper form under subdivision (f)(1) of this section shall submit with its first report or registration a notarized affidavit on a form prepared by the Secretary of State declaring that:

(A) The person does not have access to the technology necessary to submit reports or registration in electronic form;

(B) Submitting reports or registration in electronic form would constitute a substantial hardship for the person; and

(C) The person agrees to file all other reports in paper form for the duration of the period of registration.

(g) The Secretary of State shall:

(1) Not accept a report or registration in paper form under subdivision (f)(1) of this section if a notarized affidavit was not submitted with the:

(A) Registration of a political action committee; or

(B) First report of a person or independent expenditure committee;

(2) Provide written notice to the political action committee within five (5) business days if the registration in paper form was not filed or accepted;

(3) Provide written notice to a political action committee, person, or independent expenditure committee within five (5) business days if a report in paper form was not filed or accepted; and

(4) Provide the reason the registration or report in paper form was not filed or accepted.

(h) The Secretary of State shall make available to persons wishing to file reports in paper form under this section:

(1) Information on the deadlines for filing required reports; and

(2)(A) Appropriate forms and instructions for complying with the deadlines.

(B) The Arkansas Ethics Commission shall approve the forms and instructions used by the Secretary of State under this section to ensure that all required information is requested.

(i) Reports shall be filed on the forms furnished by the Secretary of State, except that computer-generated contribution and expenditure reports shall be accepted by the Secretary of State and the Arkansas Ethics Commission provided that all of the requisite elements are included.

(j)(1)(A) A report submitted in paper form under this section other than a preelection report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, and postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on or before the date that the report is due.

(B) A preelection report submitted in paper form under this section is timely filed if it is received by the Secretary of State no later than seven (7) days before the election for which it is filed.

(2) The Secretary of State shall accept a report via facsimile, provided the original is received by the Secretary of State within ten (10) days of the date of facsimile transmission.

(k)(1) The Secretary of State shall make available reports submitted in paper form on a portion of the official website of the Secretary of State.

(2) The Secretary of State shall comply with the requirements of Ark. Code Ann. § 7-6-214(c) regarding the “paper filer” designation and publication requirements for all report submitted in paper form.

(l) (1) A committee shall indicate on its quarterly report for the fourth quarter of each calendar year whether or not it intends to ~~renew~~ terminate its registration for the next calendar year.

(2)(A) If a fourth quarter report is filed in paper form, the form utilized by the Secretary of State for filing shall require the committee to indicate whether or not it intends to ~~renew~~ terminate its registration for the next calendar year.

~~(B) A 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 quarterly report for the fourth quarter.~~

~~(C) The Secretary of State shall not accept a quarterly report for the fourth quarter if the committee indicates that it intends to renew its registration for the next calendar year and the registration form for the next calendar year is not submitted at the same time as the quarterly report for the fourth quarter.~~

(3) If the Secretary of State offers electronic filing of committee reports, the format used by the Secretary of State for the filing of committee reports in electronic format shall require a committee indicating that it intends to ~~renew~~ terminate its registration for the next calendar year to ~~renew~~ terminate its registration for the next calendar year before submitting its quarterly report for the fourth quarter.

~~(4) If a political action committee does not file any quarterly reports for a period of two (2) years, the Secretary of State shall terminate the political action committee’s registration due to inactivity.~~

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### § 503 Penalties for Political Action Committees

(a) If the Arkansas Ethics Commission finds that a person or political action committee has committed a violation of Ark. Code Ann. § 7-6-215, then it shall do one or more of the following, unless good cause be shown for the violation:

- (1) Impose a fine of not less than fifty dollars (\$50.00) and not more than three thousand, five hundred dollars (\$3,500.00);
- (2) Issue a public letter of caution, warning, or reprimand;

- (3) Order the respondent to file or amend a statutorily required disclosure form; or
- (4) Report its finding, along with such information and documents as it deems appropriate; and make recommendations to the proper law enforcement authorities.

(b) In addition, the Arkansas Ethics Commission may impose a late filing fee not exceeding ten dollars (\$10.00) for each day a required amendment of the information contained in a registration form remains unfiled by a political action committee.

#### **§ 504 Legislative Caucus Committees**

A legislative caucus committee is required to comply with the registration and reporting provisions of §§ 501-502 of these rules, including the designation of a resident agent who is an individual who resides in the State of Arkansas and the establishment of an account in a financial institution, if the committee contributes more than five hundred dollars (\$500) in a calendar year to candidates, campaign committees, ballot question committees, legislative question committees, political parties, county political party committees, or political action committees.

#### **§ 505 Out-of-State Political Action Committees**

An out-of-state political action committee, including a federal committee, is required to comply with the registration and reporting provisions of §§ 501-502 and is subject to the jurisdiction of the State of Arkansas for all purposes related to compliance with the provisions of subchapter 2 of chapter 6, Title 7 of the Arkansas Code, if the committee contributes more than five hundred dollars (\$500) in a calendar year to candidates, campaign committees, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees within the State of Arkansas.

Section 505 of these rules shall not apply to: (i) the national committee of any political party that is registered with the Federal Election Commission; (ii) any federal candidate committee that is registered with the Federal Election Commission; (iii) funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Ark. Code Ann. § 7-1-101; or (iv) funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Ark. Code Ann. § 7-1-101.

#### § 506 Paid for by Disclaimer

(a) All articles, statements, or communications appearing in any newspaper printed or circulated in this state intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "paid Political Advertisement", "Paid Political Ad", or "Paid for by" the candidate, committee, or person who paid for the message. Both the persons placing and the persons publishing the articles, statements, or communications shall be responsible for including the required disclaimer. In addition, all articles, statements, or communications appearing in any radio, television, or any other electronic medium intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "Paid Political Advertisement" or "Paid Political Ad" or "Paid for by", "Sponsored by", or "Furnished by" the true sponsor of the advertisement. Both the persons placing and the persons publishing the articles, statements, or communications shall be responsible for including the required disclaimer.

(b)(1) Printed campaign materials as defined in § 500(g)(f) of these rules, shall clearly contain the words "Paid for by" followed by the name of the candidate, committee, or person who paid for the campaign sign, campaign literature, or other printed campaign materials.

(2) Subdivision (b)(1) of this section applies only to campaign signs, campaign literature, and other printed campaign materials created by or sponsored by a political candidate, the campaign of a political candidate, a political action committee, or an independent expenditure committee.

(3) When the printed campaign material is a two-sided sign, the "Paid for by" language required by this subsection shall appear on both sides of the sign.

#### § 507 Registration by County Political Party Committees

(a)(1)(A) To qualify as a county political party committee, a committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions during a calendar year which, in the aggregate, exceed five thousand dollars (\$5,000).

(B) The registration is to be annually renewed by January 15, unless the committee has ceased to exist.

(C) Registration shall be on forms provided by the Secretary of State, and the contents of the form shall be verified by an affidavit of an officer of the committee.

(2)(A) The committee is required to appoint a treasurer who is a qualified elector of the State of Arkansas.

(B) No contribution shall be accepted from a committee and no expenditure shall be made by a committee that has not registered and which does not have a treasurer.

(3)(A) No county political party committee shall accept a contribution from a prohibited political action committee as defined in § 500(h) of these rules.

(B) It shall be unlawful for a prohibited political action committee as defined in § 500(h) of these rules to make a contribution to a county political party committee.

(b) The committee is required to disclose on the registration form the following information:

(1) The name, address, and, when available, phone number of the committee and the name, address, phone number, and place of employment of each of its officers, provided if the committee's name is an acronym, then both the acronym and the words forming the acronym shall be disclosed;

(2) The political party with which the county political party committee is affiliated;

(3) The full name and street address, city, state, and zip code of the financial institution in the State of Arkansas that the committee designates as its official depository for the purposes of depositing all money contributions that it receives in this state and making all expenditures in this state; and

(4) A written acceptance of appointment by the treasurer.

#### § 508 Reporting by County Political Party Committees

(a)(1) Within fifteen (15) calendar days after the end of each calendar quarter, county political party committees are required to 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 these totals;

(B) The current balance of committee funds;

(C) The name and address of each person that made a contribution or contributions to the committee that exceeded ~~five hundred dollars (\$500)~~ two hundred dollars (\$200) in the aggregate, the contributor's place of business, employer, or occupation, the date of the contribution, the amount contributed, and the total contributed for the year;

(D) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, political action committee, or

other county political party committee, if any, to whom or which the committee made a contribution or contributions that exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200) 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, campaign committee, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee, if any, to whom or which the committee contributed a nonmoney item, together with a description of the item, the date the item was contributed, and the value of the item;

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

(G) Any change in information required by these rules.

(2) The reports shall be verified by an affidavit of an officer of the committee stating that to the best of his or her knowledge and belief the information disclosed is a complete, true, and accurate financial statement of the committee's contributions received and made.

(3)(A) A report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on the date that the report is due.

(B) The Secretary of State shall accept via facsimile any report if the original is received by the Secretary of State within ten (10) days of the date of transmission.

(C) The Secretary of State may receive reports in a readable electronic format acceptable to the Secretary of State and approved by the Arkansas Ethics Commission.

#### **§ 509 Penalties for County Political Party Committees**

If the Arkansas Ethics Commission finds that a person or county political party committee has committed a violation of Ark. Code Ann. § 7-6-226, then it shall do one or more of the following, unless good cause be shown for the violation:

- (a) Impose a fine of not less than fifty dollars (\$50.00) and not more than three thousand, five hundred dollars (\$3,500.00);
- (b) Issue a public letter of caution, warning, or reprimand;



- (c) Order the respondent to file or amend a statutorily required disclosure form;
- (d) Report its finding, along with such information and documents as it deems appropriate and make recommendations to the proper law enforcement authorities.

#### § 510 Records Retention by PACs and County Political Party Committees

Each committee is required to maintain for a period of four (4) years records evidencing the name, address, and place of employment of each person who contributed to the committee, along with the amount contributed. Furthermore, each committee shall maintain for a period of four (4) years records evidencing the name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or political action committee who or which received a contribution from the committee, along with the amount contributed.

#### § 511 Contribution Limits

- (a) No political action committee ~~or county political party committee~~ shall accept any contribution or cumulative contributions in excess of ~~five thousand dollars (\$5,000)~~ ten thousand dollars (\$10,000) from any person in any calendar year.
- (b) ~~No county political party committee shall accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year.~~
- (b)(c) For purposes of making contributions to candidates, each political action committee and county political party committee may contribute up to the maximum amount to a candidate's campaign for each election, whether the candidate is opposed or unopposed. Pursuant to Ark. Code Ann. § 7-6-203, the contribution limit for each election cycle shall be adjusted at the beginning of each odd-numbered year in an amount equal to the percentage certified to the Federal Election Commission by the Bureau of Labor Statistics of the Department of Labor under 52 U.S.C. § 30116(c) as existing on January 1, 2015. In accordance with the Arkansas Ethics Commission's Rules on Campaign Finance & Disclosure, the Arkansas Ethics Commission shall announce the contribution limit in effect for each election cycle.

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#### § 512 Administrative Expenses of PACs and County Political Party Committees

It is permissible for a PAC or a county political party committee to pay reasonable administrative expenses out of the contributions it has received.



**§ 513 Receipt of Campaign Funds or Remaining Campaign Funds by Political Party Caucus**

Campaign funds or remaining campaign funds given to a political party caucus shall be segregated in an account separated from other caucus funds and shall not be used by the political party caucus to make a campaign contribution or to provide any personal income to any candidate who donated campaign funds or remaining campaign funds.

**§ 514 Amendment of Reports – Affirmative Defense of Unintentional Error**

(a) It is an affirmative defense to prosecution or disciplinary action if a person required to file a report under these rules amends the report within thirty (30) days of discovering or learning of an unintentional error in the report.

(b) The Arkansas Ethics Commission shall not proceed with an investigation of an alleged error in a report filed under these rules if the Arkansas Ethics Commission determines that a person would be eligible to raise the aforementioned affirmative defense. If the Arkansas Ethics Commission does not proceed with an investigation of an alleged error, the person shall not be considered to have committed a violation of the applicable statute.

(c) This section shall not be construed to remove the duty to file a report under these rules or authorize a person to knowingly fail to file a report under these rules.

State of Arkansas

As Engrossed: S3/1/23

94th General Assembly

# A Bill

Regular Session, 2023

SENATE BILL 280

By: Senators J. Dismang, *Hester*

By: Representative L. Fite

## For An Act To Be Entitled

TO AMEND THE LAW CONCERNING THE CREATION AND DUTIES  
OF THE ARKANSAS ETHICS COMMISSION; TO AMEND THE LAW  
CONCERNING CAMPAIGN FINANCE; TO AMEND THE LAW  
CONCERNING CAMPAIGN MATERIAL; TO AMEND THE LAW  
CONCERNING CANDIDATE CONTRIBUTIONS; TO AMEND THE LAW  
CONCERNING CITIZEN COMPLAINTS FILED WITH THE ARKANSAS  
ETHICS COMMISSION; TO AMEND THE ENFORCEMENT OF THE  
CODE OF ETHICS; TO AMEND THE LAW CONCERNING  
INDEPENDENT EXPENDITURES; TO AMEND THE LAW CONCERNING  
EXPENDITURE REPORTS; TO AMEND PORTIONS OF INITIATED  
ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND FOR  
OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING THE CREATION  
AND DUTIES OF THE ARKANSAS ETHICS  
COMMISSION; AND TO AMEND PORTIONS OF  
INITIATED ACT 1 OF 1990 AND INITIATED ACT  
1 OF 1996.

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

SECTION 1. Arkansas Code § 7-6-203(b)(1)(A), concerning candidate  
campaign finance contributions, limitations, acceptance or solicitation and  
distributions and resulting from Initiated Act 1 of 1990 and Initiated Act 1  
of 1996, is amended to read as follows:



1 (b)(1)(A) It shall be unlawful for any person to make a contribution  
2 to a candidate for any public office or to any person acting on the  
3 candidate's behalf, which in the ~~total~~ aggregate amount exceeds ~~two thousand~~  
4 ~~seven hundred dollars (\$2,700) per election~~ the maximum campaign contribution  
5 limit established by rule of the Arkansas Ethics Commission per election.  
6

7 SECTION 2. Arkansas Code § 7-6-217(g)(1)-(3), concerning the creation  
8 and duties of the Arkansas Ethics Commission and resulting from Initiated Act  
9 1 of 1990 and Initiated Act 1 of 1996, are amended to read as follows:

10 (1) Under the Arkansas Administrative Procedure Act, § 25-15-201  
11 et seq., promulgate reasonable rules to implement and administer the  
12 requirements of this subchapter, as well as the Disclosure Act for Public  
13 Initiatives, Referenda, and Measures Referred to Voters, § 7-1-114; § 7-9-401  
14 et seq.; § 19-11-718; § 21-8-301 et seq.; the Disclosure Act for Lobbyists  
15 and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-  
16 8-701 et seq., and § 21-8-801 et seq.; § 21-8-901; § 21-8-1001 et seq.; § 25-  
17 1-125; and Arkansas Constitution, Article 19, §§ 28-30; and to govern  
18 procedures before the commission, matters of commission operations, and all  
19 investigative and disciplinary procedures and proceedings;

20 (2) Issue advisory opinions and guidelines on the requirements  
21 of § 7-1-103(a)(1)-(4), (6), and (7); § 7-1-114, this subchapter~~+~~, the  
22 Disclosure Act for Public Initiatives, Referenda, and Measures Referred to  
23 Voters, § 7-9-401 et seq.; § 19-11-718; § 21-8-301 et seq.; the Disclosure  
24 Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-  
25 601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.~~+~~, § 21-8-901 et  
26 seq.~~+~~, § 21-8-1001 et seq.; § 25-1-125, and Arkansas Constitution, Article  
27 19, §§ 28-30;

28 (3) After a citizen complaint has been submitted to the  
29 commission, investigate alleged violations of § 7-1-103(a)(1)-(4), (6), and  
30 (7); § 7-1-114, this subchapter~~+~~, the Disclosure Act for Public Initiatives,  
31 Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-11-718; §  
32 21-1-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and  
33 State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701  
34 et seq., and § 21-8-801 et seq.; § 21-8-901; § 21-8-1001 et seq.; § 25-1-125,  
35 and Arkansas Constitution, Article 19, §§ 28-30; and render findings and  
36 disciplinary action thereon;

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

5 (a)(1) Any citizen may file a complaint with the Arkansas Ethics  
6 Commission against a person covered by this subchapter, by § 7-1-103(a)(1)-  
7 (4), (6), or (7); § 7-1-114; the Disclosure Act for Public Initiatives,  
8 Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 21-1-401 et  
9 seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and  
10 Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq.,  
11 and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 25-1-125;  
12 and Arkansas Constitution, Article 19, §§ 28-30, for an alleged violation of  
13 the subchapters or sections. For purposes of this subdivision (a)(1), the  
14 Arkansas Ethics Commission shall be considered a citizen.  
15

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

19 (b)(1)(A) Upon a complaint stating facts constituting an alleged  
20 violation signed under penalty of perjury by any person, the Arkansas Ethics  
21 Commission shall investigate the alleged violation of this subchapter or § 7-  
22 1-103(a)(1)-(4), (6), or (7); § 7-1-114; the Disclosure Act for Public  
23 Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; §  
24 21-1-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for Lobbyists and  
25 State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701  
26 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; §  
27 25-1-125; and Arkansas Constitution, Article 19, §§ 28-30.  
28

29 SECTION 5. Arkansas Code § 7-6-218(b)(4), concerning citizen  
30 complaints filed with the Arkansas Ethics Commission and resulting from  
31 Initiated Act 1 of 1990, is amended to read as follows:

32 (4) If the Arkansas Ethics Commission finds a violation of this  
33 subchapter; § 7-1-103(a)(1)-(4), (6), or (7); § 7-1-114; § 21-1-401 et seq.;  
34 § 21-8-301 et seq.; the Disclosure Act for Lobbyists and State and Local  
35 Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and §  
36 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-1001 et seq.; § 25-1-125; or

1 Arkansas Constitution, Article 19, §§ 28-30, then the Arkansas Ethics  
2 Commission shall do one (1) or more of the following, unless good cause be  
3 shown for the violation:

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

6 (B)(i) Notwithstanding the provisions of §§ 7-6-202, 7-9-  
7 409, 21-8-403, and 21-8-903, impose a fine of not less than fifty dollars  
8 (\$50.00) nor more than three thousand five hundred dollars (\$3,500) for  
9 negligent or intentional violation of this subchapter; § 7-1-114; the  
10 Disclosure Act for Public Initiatives, Referenda, and Measures Referred to  
11 Voters, § 7-9-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for  
12 Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et  
13 seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-  
14 1001 et seq.; § 25-1-125; or Arkansas Constitution, Article 19, §§ 28-30.

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

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

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

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

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

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

31  
32 SECTION 6. Arkansas Code § 7-6-220(a)(1), concerning reporting of  
33 independent expenditures and resulting from Initiated Act 1 of 1996, is  
34 amended to read as follows:

35 (1)(A) No later than ~~thirty (30) days prior to preferential~~  
36 ~~primary elections, general elections, and special elections covering the~~

1 ~~period ending thirty five (35) days prior to such elections~~ fifteen (15) days  
2 following the month in which the five hundred dollar (\$500) threshold  
3 required under this section is met, the first financial report shall be  
4 filed.

5 (B) Each subsequent report shall be filed no later than  
6 fifteen (15) days after the end of each month until the election is held,  
7 except as required in subdivision (a)(1)(C) of this section.

8 (C) For any month in which certain days of that month are  
9 included in a preelection financial report required under subdivision (a)(2)  
10 of this section, no monthly report for that month shall be due, but those  
11 days of that month shall be carried forward and included in the final  
12 financial report;

13  
14 SECTION 7. Arkansas Code § 7-6-228(c)(1)(A), concerning campaign signs  
15 and materials, is amended to add an additional subdivision to read as  
16 follows:

17 (C) When the printed campaign material is a two-sided  
18 sign, the "Paid for by" language required by this subsection shall appear on  
19 both sides of the sign.

20  
21 SECTION 8. Arkansas Code § 21-8-303(a)(2), concerning enforcement by  
22 the Arkansas Ethics Commission of the Code of Ethics, is amended to read as  
23 follows:

24 (2)(A) However, the Arkansas Ethics Commission shall also have  
25 authority to investigate and address alleged violations of this subchapter  
26 and to render findings and disciplinary action.

27 (B) To be considered valid, a complaint alleging a  
28 violation of § 21-8-305 shall include a copy of a court record reflecting  
29 that the person has pleaded guilty or nolo contendere to or has been found  
30 guilty of a public trust crime.

31  
32 SECTION 9. DO NOT CODIFY. Effective date. Section 7 of this act  
33 shall be effective on and after November 1, 2023.

34  
35 */s/J. Dismang*

36 **APPROVED: 3/16/23**

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1599

By: Representative Ray

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CONTRIBUTION  
LIMITS TO POLITICAL ACTION COMMITTEES; TO AMEND  
CAMPAIGN FINANCE LAW; TO AMEND PORTIONS OF INITIATED  
ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND FOR  
OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING CONTRIBUTION  
LIMITS TO POLITICAL ACTION COMMITTEES; TO  
AMEND CAMPAIGN FINANCE LAW; TO AMEND  
PORTIONS OF INITIATED ACT 1 OF 1990 AND  
INITIATED ACT 1 OF 1996.

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

SECTION 1. Arkansas Code § 7-6-201(1)(A)(ii), concerning definitions  
under campaign finance law, and resulting from Initiated Act 1 of 1990 and  
Initiated Act 1 from 1996, is amended to read as follows:

(ii) Does not accept any contribution or cumulative  
contributions in excess of ~~five thousand dollars (\$5,000)~~ ten thousand  
dollars (\$10,000) from any person in any calendar year; and

APPROVED: 4/4/23



State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H3/27/23

# A Bill

HOUSE BILL 1595

By: Representative Ray

## For An Act To Be Entitled

AN ACT TO AMEND THE PROCEDURES FOR REGISTRATION OF  
POLITICAL ACTION COMMITTEES; TO AMEND CAMPAIGN  
FINANCE LAW; TO AMEND PORTIONS OF INITIATED ACT 1 OF  
1990 AND INITIATED ACT 1 OF 1996; AND FOR OTHER  
PURPOSES.

## Subtitle

TO AMEND THE PROCEDURES FOR REGISTRATION  
OF POLITICAL ACTION COMMITTEES; TO AMEND  
CAMPAIGN FINANCE LAW; AND TO AMEND  
PORTIONS OF INITIATED ACT 1 OF 1990 AND  
INITIATED ACT 1 OF 1996.

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

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

(B) Registration for a political action committee shall be  
~~annually renewed by January 15,~~ active unless the political action committee  
has requested a termination of its registration ~~ceased to exist~~.

SECTION 2. Arkansas Code § 7-6-215(d)(6), 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:





1 (6)(A) A political action committee shall indicate on its  
2 quarterly report for the fourth quarter of each calendar year whether or not  
3 it intends to ~~renew~~ terminate its registration for the next calendar year.

4 (B)~~(i)~~ If a quarterly report for the fourth quarter is  
5 filed in paper form, the form utilized by the Secretary of State for filing  
6 shall require the political action committee to indicate whether or not it  
7 intends to ~~renew~~ terminate its registration for the next calendar year.

8 ~~(ii) A political action committee indicating that it~~  
9 ~~will renew its registration for the next calendar year shall submit its~~  
10 ~~registration form for the next calendar year at the same time as the~~  
11 ~~quarterly report for the fourth quarter.~~

12 ~~(iii) The Secretary of State shall not accept a~~  
13 ~~quarterly report for the fourth quarter if:~~

14 ~~(a) The political action committee indicates~~  
15 ~~that it intends to renew its registration for the next calendar year; and~~

16 ~~(b) The registration form for the next~~  
17 ~~calendar year is not submitted at the same time as the quarterly report for~~  
18 ~~the fourth quarter.~~

19 (C) If the Secretary of State offers electronic filing of  
20 political action committee reports, the format used by the Secretary of State  
21 for the filing of political action committee reports in electronic form shall  
22 require a political action committee indicating that it intends to ~~renew~~  
23 terminate its registration for the next calendar year to ~~renew~~ terminate its  
24 registration for the next calendar year before submitting its quarterly  
25 report for the fourth quarter.

26 (D) If a political action committee does not file any  
27 quarterly reports for a period of two (2) years, the Secretary of State shall  
28 terminate the political action committee's registration due to inactivity.

29  
30 /s/Ray

31  
32  
33 APPROVED: 4/11/23

State of Arkansas

As Engrossed: H4/3/23

94th General Assembly

# A Bill

Regular Session, 2023

HOUSE BILL 1756

By: Representatives M. Shepherd, Ray

By: Senator Hester

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CAMPAIGN FINANCE;  
TO AMEND THE LAW CONCERNING CAMPAIGN CONTRIBUTIONS  
AND EXPENDITURES; TO AMEND LAW CONCERNING REPORTING  
DEADLINES; TO CREATE AN AUTOMATIC FINE FOR DELINQUENT  
REPORTING; TO REQUIRE THE PREPARATION OF A REPORTING  
CALENDAR; TO AMEND THE LAW CONCERNING THE ARKANSAS  
ETHICS COMMISSION; TO ALLOW ONLINE AND ELECTRONIC  
COMPLAINTS; TO AMEND PORTIONS OF INITIATED ACT 1 OF  
1990 AND INITIATED ACT 1 OF 1996; AND FOR OTHER  
PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING CAMPAIGN  
FINANCE AND CAMPAIGN FINANCE REPORTS; TO  
AMEND THE LAW CONCERNING THE ARKANSAS  
ETHICS COMMISSION; AND TO AMEND PORTIONS  
OF INITIATED ACT 1 OF 1990 AND INITIATED  
ACT 1 OF 1996.

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

SECTION 1. Arkansas Code § 7-6-207(a)(1)(B), concerning reports of  
contributions for candidates for state or district office, and resulting from  
Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as  
follows:

(B) Beginning with the month of January of a calendar year



1 in which a candidate may be listed on any ballot for election, a monthly  
2 report of all contributions received and expenditures made during that month.  
3 However, for any month in which certain days of that month are included in a  
4 preelection report required under subdivision (a)(1)(C) of this section or a  
5 final report required under subdivision (a)(1)(D) of this section, no monthly  
6 report for that month shall be due. In the case of a primary or runoff  
7 election, those days of the month occurring after the date of the election  
8 shall be carried forward and included in the next monthly report. The monthly  
9 report shall be filed no later than ~~fifteen (15)~~ twenty (20) days after the  
10 end of each month, except that the final report, covering the month during  
11 which an election is held, shall be filed within thirty (30) days after the  
12 end of the month in which the last election is held at which the candidate  
13 seeks nomination and after the end of the month in which the general election  
14 is held. With respect to a special election, the candidate shall file monthly  
15 reports under this section beginning with the month in which the special  
16 election candidate's total campaign contributions or expenditures exceed five  
17 hundred dollars (\$500);

18  
19 SECTION 2. Arkansas Code § 7-6-207(b)(1)(B), concerning reports of  
20 contributions for candidates for state or district office, and resulting from  
21 Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as  
22 follows:

23 (B) The name and address of each person, including the  
24 candidate, who made a contribution or contributions that in the aggregate  
25 exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200);

26  
27 SECTION 3. Arkansas Code § 7-6-207(d)(1)(C), concerning reports of  
28 contributions for candidates for state or district office, and resulting from  
29 Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to add an  
30 additional subdivision to read as follows:

31 (iv) The electronic format used for the filing of  
32 campaign contribution and expenditure reports on the official website of the  
33 Secretary of State shall aggregate total campaign contributions by a  
34 contributor to determine if they collectively reach the limitation for lawful  
35 campaign contributions under this subchapter.

1       SECTION 4. Arkansas Code § 7-6-208(b)(1)(B), concerning reports of  
2       contributions for candidates for school district, township, or municipal  
3       office, and resulting from Initiated Act 1 of 1990 and Initiated Act 1 of  
4       1996, is amended to read as follows:

5               (B) The name and address of each person, including the  
6       candidate, who made a contribution or contributions that in the aggregate  
7       exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200);

9       SECTION 5. Arkansas Code § 7-6-209(b)(1)(B), concerning reports of  
10       contributions for candidates for school district, township, or county office,  
11       and resulting from Initiated Act 1 of 1996, is amended to read as follows:

12              (B) The name and address of each person, including the  
13       candidate, who made a contribution or contributions that in the aggregate  
14       exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200);

16       SECTION 6. Arkansas Code § 7-6-215(d)(1)(C), concerning reports of  
17       contributions for candidates for school district, township, or county office,  
18       and resulting from Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is  
19       amended to read as follows:

20              (C) The name and address of each person that made a  
21       contribution or contributions to the political action committee that exceeded  
22       ~~five hundred dollars (\$500)~~ two hundred dollars (\$200) in the aggregate  
23       during the calendar year, the contributor's place of business, employer,  
24       occupation, the date of the contribution, the amount contributed, and the  
25       total contributed for the year;

27       SECTION 7. Arkansas Code § 7-6-215(d)(1)(D), concerning reports of  
28       contributions for candidates for school district, township, or county office,  
29       and resulting from Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is  
30       amended to read as follows:

31              (D) The name and address of each candidate, ballot  
32       question committee, legislative question committee, political party, county  
33       political party committee, or other political action committee, if any, to  
34       whom or which the political action committee made a contribution or  
35       contributions that exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200)  
36       in the aggregate during the filing period, with the amount contributed and

1 the election for which the contribution was made;

2  
3 SECTION 8. Arkansas Code § 7-6-216(c)(2), concerning registration and  
4 reports by exploratory committees, and resulting from Initiated Act 1 of  
5 1990, is amended to read as follows:

6 (2) The name and address of each person who has made a  
7 contribution which, in the aggregate, exceeds ~~fifty dollars (\$50.00)~~ two  
8 hundred dollars (\$200), along with the contributor's principal place of  
9 business, employer, occupation, and the amount contributed; and

10  
11 SECTION 9. Arkansas Code § 7-6-218(a), concerning citizen complaints  
12 filed with the Arkansas Ethics Commission, and resulting from Initiated Act 1  
13 of 1990, is amended to add additional subdivisions to read as follows:

14 (3) A citizen complaint shall be timely filed if it is:

15 (A) Hand-delivered to the Arkansas Ethics Commission on or  
16 before the date that the complaint is due;

17 (B) Mailed to the Arkansas Ethics Commission, properly  
18 addressed, postage prepaid, and bearing a postmark indicating that it was  
19 received by the post office or common carrier on or before the date that the  
20 complaint is due; or

21 (C) Received via email or facsimile by the Arkansas Ethics  
22 Commission on or before the date that the complaint is due, provided the  
23 original is received by the Arkansas Ethics Commission within ten (10) days  
24 of the transmission.

25 (4) The Arkansas Ethics Commission shall prepare a citizen  
26 complaint form and make it publically available on the Arkansas Ethics  
27 Commission's website.

28 (5) The Arkansas Ethics Commission shall promulgate rules under  
29 the Arkansas Administrative Procedure Act, § 25-15-201 et seq., to develop  
30 the complaint submission process under subdivisions (a)(3) and (a)(4) of this  
31 section.

32 SECTION 10. Arkansas Code § 7-6-220(a), concerning reporting of  
33 independent expenditures, and resulting from Initiated Act 1 of 1996, is  
34 amended to read as follows:

35 (a) A person who or an independent expenditure committee which makes  
36 independent expenditures in an aggregate amount or value in excess of ~~five~~

1 ~~hundred dollars (\$500)~~ two hundred dollars (\$200) in a calendar year shall  
2 file reports with the Secretary of State:

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

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

9 (3) As for a final report, no later than thirty (30) days after  
10 the end of the month in which the last election is held at which the  
11 candidate seeks nomination or election.  
12

13 SECTION 11. Arkansas Code § 7-6-223(b)(2), concerning reports of  
14 contributions by political parties, and resulting from Initiated Act 1 of  
15 1996, is amended to read as follows:

16 (2) An itemization, including the name, address, employer, and  
17 occupation of each person who made a contribution or contributions to the  
18 political party which, in the aggregate, exceeded ~~fifty dollars (\$50.00)~~ two  
19 hundred dollars (\$200) in the preceding calendar quarter, as well as the  
20 amount received and date of receipt;  
21

22 SECTION 12. Arkansas Code § 7-6-226(c)(1)(C) and (D), concerning  
23 registration and reporting by county political committees, are amended to  
24 read as follows:

25 (C) The name and address of each person who made a  
26 contribution or contributions to the committee that exceeded ~~five hundred~~  
27 ~~dollars (\$500)~~ two hundred dollars (\$200) in the aggregate, the contributor's  
28 place of business, employer, or occupation, the date of the contribution, the  
29 amount contributed, and the total contributed for the year;

30 (D) The name and address of each candidate or committee,  
31 if any, to whom or which the committee made a contribution or contributions  
32 that exceeded ~~fifty dollars (\$50.00)~~ two hundred dollars (\$200) in the  
33 aggregate during the filing period, with the amount contributed and the  
34 election for which the contribution was made;  
35

36 SECTION 13. Arkansas Code Title 7, Chapter 6, Subchapter 2, is amended

1 to add additional sections to read as follows:

2  
3 7-6-232. Delinquent reports.

4 (a) The Arkansas Ethics Commission shall review the timeliness of  
5 reports filed with the Secretary of State by all candidates for state or  
6 district office pursuant to § 7-6-207.

7 (b)(1) If a candidate for state or district office has failed to file  
8 a required report, the commission shall notify the candidate in writing that  
9 the report is delinquent and request that the report be filed within thirty  
10 (30) days of the report's original due date.

11 (2) The notice under subdivision (b)(1) of this section shall be  
12 sent by regular mail to the candidate.

13 (c)(1) The third and subsequent time during an election cycle that a  
14 candidate is sent written notice of a delinquent report and fails to file the  
15 report within thirty (30) days of the report's original due date, the  
16 commission shall bring a complaint against the candidate and, if a violation  
17 is found, impose a fine of one thousand dollars (\$1,000) unless good cause be  
18 shown for the violation.

19 (2) In addition to imposing a fine, the commission shall also be  
20 authorized to take one (1) or more of the following actions:

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

23 (B) Order the candidate to file one or more reports; or

24 (C) Report the matter and make recommendations to proper  
25 law enforcement authorities.

26 (d) The commission shall promulgate rules to implement and administer  
27 this section.

28  
29 7-6-233. Preparation of reporting calendar.

30 (a) The Arkansas Ethics Commission shall issue one (1) or more  
31 reporting calendars for use by candidates to identify when reports and other  
32 necessary filings are due in a calendar year.

33 (b) The commission shall issue the reporting calendar for a calendar  
34 year no later than the December 31 preceding the year of the reporting  
35 calendar.

36 (c) The commission shall prepare reporting calendars as it deems

1 necessary for candidates for office, including without limitation candidates  
2 for state, county, municipal, district, or school elections.

3  
4 SECTION 14. DO NOT CODIFY. Rules.

5 (a) When adopting the initial rules required under this act, the  
6 Arkansas Ethics Commission shall file the final rules with the Secretary of  
7 State for adoption under § 25-15-204(f):

8 (1) On or before November 1, 2023; or  
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11 */s/M. Shepherd*  
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14 **APPROVED: 4/12/23**  
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