

As Engrossed: 2/18/93

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

A Bill

HOUSE BILL 1139

For An Act To Be Entitled

8 "AN ACT TO DEFINE THE TERM CAMPAIGN; AND FOR OTHER
9 PURPOSES."

Subtitle

12 "AN ACT TO DEFINE THE TERM CAMPAIGN."

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

16 SECTION 1. Arkansas Code 7-6-201 is amended to read as follows:

17 "7-6-201. Definitions. As used in this subchapter, unless the context
18 otherwise requires:

19 (1) Person means any individual, proprietorship, firm, partnership,
20 joint venture, syndicate, labor union, business trust, company, corporation,
21 association, committee, or any other organization or group of persons acting
22 in concert. It shall also include organized political parties as defined in §
23 7-1-101(1);

24 (2) (A) Contribution means, whether direct or indirect, advances,
25 deposits, or transfers of funds, contracts, or obligations, whether or not
26 legally enforceable, payments, gifts, subscriptions, assessments, payment for
27 services, dues, advancements, forbearance, loans, pledge or promise of money
28 or anything of value, whether or not legally enforceable, to a candidate,
29 committee, or holder of elective office, made for the purpose of influencing
30 the nomination or election of any candidate;

31 (B) Contribution includes the purchase of tickets for events
32 such as dinners, luncheons, rallies, similar fund raising events; the granting
33 of discounts or rebates by television and radio stations and newspapers not
34 extended on an equal basis to all candidates for the same office; and any
35 payments for the services of any person serving as an agent of a candidate or

1 committee by a person other than the candidate or committee or persons whose
2 expenditures the candidates or committee must report under this subchapter.
3 The term contribution further includes any transfer of anything of value
4 received by a committee from another committee;

5 (C) Contribution shall not include noncompensated,
6 nonreimbursed, volunteer personal services or travel;

7 (3) Expenditure means a purchase, payment, distribution, gift, loan,
8 or advance of money or anything of value, and a contract, promise, or
9 agreement to make an expenditure, made for the purpose of influencing the
10 nomination or election of any candidate;

11 (4) Contribution and expenditure shall not include nonpartisan
12 activity designed to encourage individuals to register to vote, or to vote, or
13 any communication by any membership organization to its members or
14 stockholders if the membership organization or corporation is not organized
15 primarily for the purpose of influencing the nomination for election, or
16 election, of any candidate;

17 (5) Candidate means any person who has knowingly and willingly taken
18 affirmative action, including solicitation of funds, for the purpose of
19 seeking nomination for or election to any public office;

20 (6) Election means each election held to nominate or elect a
21 candidate to any public office, including school elections. For the purposes
22 of this subchapter, a preferential primary, a general primary, a special, and
23 a general election shall each constitute a separate election;

24 (7) Public office means any office created by or under authority of
25 the laws of the State of Arkansas, or of a subdivision thereof, that is filled
26 by the voters, except a federal office;

27 (8) Financial institution means any commercial bank, savings and
28 loan, mutual savings bank or savings bank, insurance company brokerage house,
29 or any corporation that is in the business of lending money that is subject to
30 state or federal regulation;

31 (9) Approved political action committee means any person who:

32 (A) Receives contributions from one (1) or more persons in order
33 to make contributions to candidates;

34 (B) Does not accept any contribution or cumulative contributions
35 in excess of two hundred dollars (\$200) from any person in any calendar year;

1 and

2 (C) Has been registered pursuant to § 7-6-215 for at least four
3 (4) continuous months prior to making contributions to candidates. Approved
4 political action committee shall not include an organized political party as
5 defined in § 7-1-101(1), the candidate's own campaign committee, or an
6 exploratory committee;

7 (10) Prohibited political action committee means any person who
8 receives contributions from one or more persons in order to make contributions
9 to candidates but who does not meet the requirements of an approved political
10 action committee. Prohibited political action committee shall not include an
11 organized political party as defined in § 7-1-101(1), the candidate's own
12 campaign committee, or an exploratory committee;

13 (11) Exploratory committee means a person who receives contributions
14 which are held to be transferred to the campaign of a single candidate in an
15 election. Exploratory committee shall not include an organized political
16 party as defined in § 7-1-101(1) or the candidate's own campaign committee.

17 (12) *'Campaign period' means that period of time beginning when a*
18 *candidate's cumulative contributions or expenditures exceed five hundred*
19 *dollars (\$500) and ends on the date the final report for the general election*
20 *is due. For campaign contribution purposes, the preferential primary, runoff*
21 *election, special election, general election, and school election shall be*
22 *treated as separate elections."*

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24 SECTION 2. All provisions of this act of a general and permanent nature
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
26 Revision Commission shall incorporate the same in the Code.

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

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34 SECTION 4. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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/s/Pat Flanagan