

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/27/97

A Bill

HOUSE BILL 1660

4
5 By: Representative Madison
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For An Act To Be Entitled

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9 "AN ACT TO PROVIDE *THAT CERTAIN RECORDS* PERTAINING TO
10 EXPENDITURES BY CERTAIN TAX EXEMPT ORGANIZATIONS ARE
11 SUBJECT TO THE FREEDOM OF INFORMATION ACT AND *THE MUST BE*
12 *REPORTED ANNUALLY*; AND FOR OTHER PURPOSES."

Subtitle

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15 "TO PROVIDE *THAT CERTAIN RECORDS*
16 PERTAINING TO EXPENDITURES BY CERTAIN
17 TAX EXEMPT ORGANIZATIONS ARE SUBJECT TO
18 THE FREEDOM OF INFORMATION ACT AND *MUST*
19 *BE REPORTED ANNUALLY*."

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

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23 SECTION 1. For purposes of this act, the term "public interest entity"
24 means an entity which is exempt from the Arkansas income tax and which spends
25 money on behalf of any entity which is subject to the Freedom of Information
26 Act.

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28 SECTION 2. All records pertaining to expenditures by a public interest
29 on behalf of an employee or public official of state or local government or an
30 agency or institution of state or local government and which are maintained by
31 that entity shall hereafter be subject to public examination and copying under
32 the provision of the Freedom of Information Act, Arkansas Code 25-19-101 et
33 seq. Each public entity shall report such expenditures to the Secretary of
34 State no later than December 31st of each year and such report shall identify
35 the persons and agencies on whose behalf the expenditures were made, the dates
36 and amounts of the expenditures and other information required by the

1 Secretary of State.

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3 SECTION 3. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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

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13 SECTION 5. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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16 SECTION 6. EMERGENCY. It is hereby found and determined by the General
17 Assembly that entities which are granted an exemption from the Arkansas income
18 tax should make available for public inspection and copying their records
19 pertaining to expenditures made by those entities; that this act so provides;
20 and that this act should go into effect as soon as possible in order to grant
21 the public the opportunity to view the records of expenditures of funds by
22 entities which are not subject to the Arkansas income tax. Therefore, an
23 emergency is declared to exist and this act being immediately necessary for
24 the preservation of the public peace, health and safety shall become effective
25 on the date of its approval by the Governor. If the bill is neither approved
26 nor vetoed by the Governor, it shall become effective on the expiration of the
27 period of time during which the Governor may veto the bill. If the bill is
28 vetoed by the Governor and the veto is overridden, it shall become effective
29 on the date the last house overrides the veto.

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/s/Rep. Madison

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