

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

SENATE BILL 59

5 By: Senators Faris, Baker, Glover
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND VARIOUS PROVISIONS PERTAINING TO
10 CAMPAIGN FINANCE PRACTICES; TO AMEND PORTIONS OF
11 THE ARKANSAS CODE WHICH RESULTED FROM INITIATED
12 ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND
13 FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO AMEND VARIOUS PROVISIONS OF
16 THE ARKANSAS CODE PERTAINING TO CAMPAIGN
17 FINANCE PRACTICES.
18
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 7-1-103(a), concerning certain misdemeanor
24 violations, is amended to read as follows:

25 7-1-103. Miscellaneous misdemeanor offenses - Penalties.

26 (a) The violation of any of the following shall be deemed misdemeanors
27 punishable as provided in this section:

28 (1) It shall be unlawful for any person to appoint or offer to
29 appoint anyone to any office or position of trust or for any person to
30 influence, attempt to influence, or offer to influence the appointment,
31 nomination, or election of any person to office in consideration of the
32 support or assistance of the person for any candidate in any election in this
33 state;

34 (2)(A) It shall be unlawful for any public servant, as defined
35 in § 21-8-402, to devote any time or labor during usual office hours toward
36 the campaign of any other candidate for office or for the nomination to any



1 office; ~~and~~

2 (B) It shall be unlawful for any public servant, as
3 defined in § 21-8-402, to circulate an initiative or referendum petition or
4 to solicit signatures on an initiative or referendum petition in any public
5 office of the state, county, or municipal governments of Arkansas or during
6 the usual office hours or while on duty for any state agency or any county or
7 municipal government in Arkansas; and

8 (C) It shall be unlawful for any public servant, as
9 defined in § 21-8-402, to coerce by threats or otherwise any public employee
10 into devoting time or labor toward the campaign of any candidate for office
11 or for the nomination to any office;

12 (3)(A) It shall be unlawful for any public servant, as defined
13 in § 21-8-402, to use any office or room furnished at public expense to
14 distribute any letters, circulars, or other campaign materials unless such
15 office or room is regularly used by members of the public for such purposes
16 without regard to political affiliation. It shall further be unlawful for any
17 public servant to use for campaign purposes any item of personal property
18 provided with public funds+.

19 (B) As used in subdivision (a)(3)(A) of this section,
20 “campaign materials” and “campaign purposes” refer to the campaign of a
21 candidate for public office and not efforts to support or oppose a ballot
22 measure;

23 (4) It shall be unlawful for any person to assess any public
24 employee, as defined in § 21-8-402, for any political purpose whatever or to
25 coerce by threats or otherwise any public employee into making a subscription
26 or contribution for any political purpose;

27 (5) It shall be unlawful for any person employed in any capacity
28 in any department of the State of Arkansas to have membership in any
29 political party or organization which advocates the overthrow of our
30 constitutional form of government;

31 (6) It shall be unlawful for any campaign banners, campaign
32 signs, or other campaign literature to be placed on any cars, trucks,
33 tractors, or other vehicles belonging to the State of Arkansas or any
34 municipality, ~~or~~ county, or school district in the state;

35 (7)(A) All articles, statements, or communications appearing in
36 any newspaper printed or circulated in this state or on radio, television, or

1 any other electronic medium intended or calculated to influence the vote of
 2 any elector in any election and for the publication of which a consideration
 3 is paid or to be paid shall clearly contain the words "Paid Political
 4 Advertisement" or "Paid Political Ad".

5 (B) Both the persons placing and the persons publishing
 6 the articles, statements, or communications shall be responsible for
 7 including the required disclaimer;

8 (8) [Repealed.]

9 (9)(A) No election official acting in his official capacity
 10 shall do any electioneering on any election day or any day on which early
 11 voting is allowed. Except as provided in subdivisions (B) and (C) of this
 12 subdivision (a)(9), no person shall hand out or distribute or offer to hand
 13 out or distribute any campaign literature or any literature regarding any
 14 candidate or issue on the ballot, solicit signatures on any petition, solicit
 15 contributions for any charitable or other purpose, or do any electioneering
 16 of any kind whatsoever in the building or within one hundred feet (100') of
 17 the primary exterior entrance used by voters to the building containing the
 18 polling place on election day.

19 (B) During early voting days, no person shall hand out or
 20 distribute or offer to hand out or distribute any campaign literature or any
 21 literature regarding any candidate or issue on the ballot, solicit signatures
 22 on any petition, solicit contributions for any charitable or other purpose,
 23 or do any electioneering of any kind whatsoever during early voting hours in
 24 the building or within one hundred feet (100') of the primary exterior
 25 entrance used by voters to the building containing the early voting site nor
 26 engage in those activities with persons standing in line to vote whether
 27 within or without the courthouse.

28 (C) When the early voting occurs at a facility other than
 29 the county clerk's office, no person shall hand out or distribute or offer to
 30 hand out or distribute any campaign literature or any literature regarding
 31 any candidate or issue on the ballot, solicit signatures on any petition,
 32 solicit contributions for any charitable or other purpose, or do any
 33 electioneering of any kind whatsoever in the building or within one hundred
 34 feet (100') of the primary exterior entrance used by voters to the building
 35 containing the polling place;

36 (10) No election official shall perform any of the duties of the

1 position before taking and subscribing to the oath provided for in § 7-4-110;

2 (11) No person applying for a ballot shall swear falsely to any
 3 oath administered by the election officials with reference to his or her
 4 qualifications to vote;

5 (12) No person shall willfully cause or attempt to cause his own
 6 name to be registered in any other election precinct than that in which he is
 7 or will be before the next ensuing election qualified as an elector;

8 (13) During any election, no person shall remove, tear down, or
 9 destroy any booths or supplies or other conveniences placed in any booth or
 10 polling site for the purpose of enabling the voter to prepare his ballot;

11 (14) No person shall take or carry any ballot obtained from any
 12 election official outside of the polling room or have in his possession
 13 outside of the polling room before the closing of the polls any ballot
 14 provided by any county election commissioners;

15 (15) No person shall furnish a ballot to any elector who cannot
 16 read informing him that it contains a name or names different from those
 17 which are written or printed thereon or shall change or mark the ballot of
 18 any elector who cannot read so as to prevent the elector from voting for any
 19 candidate, act, section, or constitutional amendment as the elector intended;

20 (16) No election official or other person shall unfold a ballot
 21 or without the express consent of the voter ascertain or attempt to ascertain
 22 any vote on a ballot before it is placed in the ballot box;

23 (17) No person shall print or cause to be printed any ballot for
 24 any election held under this act with the names of the candidates appearing
 25 thereon in any other or different order or manner than provided by this act;

26 (18) No election official shall permit the vote of any person to
 27 be cast in any election precinct in this state in any election legally held
 28 in this state when the person does not appear in person at the election
 29 precinct and actually cast the vote. This subdivision (a)(18) shall not apply
 30 to persons entitled to cast absentee ballots;

31 (19)(A) No person shall vote or offer to vote more than one (1)
 32 time in any election held in this state, either in person or by absentee
 33 ballot, or shall vote in more than one (1) election precinct in any election
 34 held in this state.

35 (B) No person shall cast a ballot or vote in the
 36 preferential primary of one (1) political party and then cast a ballot or

1 vote in the general primary of another political party in this state;

2 (20) No person shall:

3 (A) Vote, knowing himself not to be entitled to vote;

4 (B) Vote more than once at any election, or knowingly cast
5 more than one (1) ballot, or attempt to do so;

6 (C) Alter or attempt to alter any ballot after it has been
7 cast;

8 (D) Add or attempt to add any ballot to those legally
9 polled at any election either by fraudulently introducing it into the ballot
10 box before or after the ballots have been counted or at any other time or in
11 any other manner with the intent or effect of affecting the count or recount
12 of the ballots;

13 (E) Withdraw or attempt to withdraw any ballot lawfully
14 polled with the intent or effect of affecting the count or recount of the
15 ballots; or

16 (F) In any manner interfere with the officials lawfully
17 conducting the election or the canvass or with the voters lawfully exercising
18 their right to vote at the election;

19 (21) No person shall make any bet or wager upon the result of
20 any election in this state;

21 (22) No election official, poll watcher, or any other person in
22 or out of this state in any primary, general, or special election in this
23 state shall divulge to any person the results of any votes cast for any
24 candidate or on any issue in the election until after the closing of the
25 polls on the day of the election. The provisions of this subdivision (a)(22)
26 shall not apply to any township or precinct in this state in which all of the
27 registered voters therein have voted prior to the closing of the polls in
28 those instances where there are fifteen (15) or fewer registered voters in
29 the precinct or township; and

30 (23) Any person, election official, county clerk, or deputy
31 clerk who violates any provisions of the absentee voting laws, § 7-5-401 et
32 seq., shall be punished as provided in this section.

33
34 SECTION 2. Arkansas Code § 7-6-203(g) and (h), concerning the use of
35 campaign funds and resulting from Initiated Act 1 of 1990 and Initiated Act 1
36 of 1996, are amended to read as follows:

1 (g)(1) A candidate shall not take any campaign funds as personal
 2 income. This subdivision (g)(1) shall not apply to campaign funds that were:

3 (A) Accumulated prior to the passage of Initiated Act 1 of
 4 1990; or

5 (B) Disposed of prior to July 28, 1995.

6 (2) A candidate shall not take any campaign funds as income for
 7 his or her spouse or dependent children, except that:

8 (A) This subsection shall not prohibit a candidate who has
 9 an opponent from employing his or her spouse or dependent children as
 10 campaign workers; and except that

11 (B) Any candidate who has an opponent and who, during the
 12 campaign and before the election, takes a leave of absence without pay from
 13 his or her primary place of employment shall be authorized to take campaign
 14 funds during the campaign and before the election as personal income up to
 15 the amount of employment income lost as a result of such leave of absence.

16 (3) A candidate who takes campaign funds during the campaign and
 17 before the election under a leave of absence pursuant to the provisions of
 18 subdivision (g)(2) of this section may elect to treat the campaign funds as a
 19 loan from the campaign fund to the candidate to be paid back to the campaign
 20 fund by the candidate.

21 (4)(A) For purposes of this subsection, a candidate who uses
 22 campaign funds to fulfill any commitment, obligation, or expense that would
 23 exist regardless of the candidate's campaign shall be deemed to have taken
 24 campaign funds as personal income.

25 (B) The use of campaign funds to purchase a cake or other
 26 perishable item of food at a fund-raising event held by a volunteer agency,
 27 as defined in § 16-6-103, shall not be considered a taking of campaign funds
 28 as personal income.

29 (C) The use of campaign funds to purchase advertising
 30 prior to the date the final report is due to be filed thanking voters for
 31 their support shall not be considered a taking of campaign funds as personal
 32 income.

33 (h)(1) Within thirty (30) days following the end of the month in which
 34 the general election is held, a candidate shall turn over surplus campaign
 35 funds to either:

36 (A) The Treasurer of State for the benefit of the General

1 Revenue Fund Account of the State Apportionment Fund;

2 (B) An organized political party as defined in § 7-1-101
3 or a political party caucus of the General Assembly, the Senate, or the House
4 of Representatives;

5 (C) A nonprofit organization which is exempt from taxation
6 under Section 501(c)(3) of the Internal Revenue Code; or

7 (D) The contributors to the candidate's campaign.

8 (2)(A) If an unopposed candidate agrees not to solicit further
9 campaign contributions by filing an affidavit declaring such an agreement,
10 the candidate may dispose of any surplus campaign funds prior to a general
11 election as soon as the time has passed to declare an intent to be a write-in
12 candidate pursuant to § 7-5-205.

13 (B) For unopposed candidates for nonpartisan judicial
14 office, the affidavit may be filed after the deadlines have passed to declare
15 as a filing fee candidate, petition candidate, or write-in candidate under §
16 7-10-103.

17 (C) The affidavit shall be filed in the office where the
18 candidate is required to file reports of contributions received and
19 expenditures made.

20 (D) Unopposed candidates and defeated candidates who file
21 the affidavit are exempt from further reporting requirements provided that
22 the affidavit contains a statement that the candidate's campaign fund has a
23 zero balance.

24 (3)(A) Carryover funds may be expended at any time for any
25 purpose not prohibited by this chapter and may be used as campaign funds for
26 seeking any public office. Nothing shall prohibit a person at any time from
27 disposing of all or any portion of his or her carryover funds in the same
28 manner as for surplus campaign funds. However, the candidate shall not take
29 the funds as personal income or as income for his or her spouse or dependent
30 children.

31 (B)(i) When a person having carryover funds files as a
32 candidate for public office, his or her carryover funds shall be transferred
33 to the person's active campaign fund. Once transferred, the funds will no
34 longer be treated as carryover funds.

35 (ii) This subdivision (h)(3)(B) shall not apply to
36 carryover funds from an election held prior to July 1, 1997.

1 (iii) This subdivision (h)(3)(B) shall not apply to
2 a campaign debt.

3 (C)(i) If carryover funds are expended prior to
4 transferring the funds to an active campaign fund, the expenditures shall be
5 reported pursuant to this subdivision (h)(3)(C). A person shall file an
6 expenditure report concerning carryover funds if since the last report
7 concerning the carryover funds, the person has expended in excess of five
8 hundred dollars (\$500). The report shall be filed ~~with the Secretary of~~
9 State at the office where the candidate was required to file his or her
10 campaign contribution and expenditure reports for the previous campaign not
11 later than fifteen (15) days after a calendar quarter in which a report
12 becomes required. No report is required in any calendar quarter in which the
13 cumulative expenditure limit has not been exceeded since the person's last
14 report.

15 (ii) The person shall also file an expenditure
16 report for the calendar quarter in which he or she transfers the carryover
17 funds to an active campaign fund.

18 (iii) A person who retains carryover funds shall
19 file an annual report outlining the status of the carryover fund account as
20 of December 31 unless the person has filed a quarterly report during the
21 calendar year pursuant to subdivisions (h)(3)(C)(i) and (ii) of this section.
22 The annual report shall be due by January 31 of each year.

23 (iv) The carryover fund reports of a candidate for
24 school district, township, municipal, or county office shall be filed with
25 the county clerk of the county in which the election was held.

26 (v) The carryover fund reports of a candidate for
27 state or district office shall be filed with the Secretary of State.

28 (D)(i) Carryover funds may be retained by a person for not
29 more than ten (10) years after the last election at which he or she was a
30 candidate, or if applicable, not more than ten (10) years after the last day
31 that the person held office, and any remaining carryover funds shall be
32 disposed of in the same manner as for surplus campaign funds.

33 (ii)(a) The officer with whom the person last filed
34 a final campaign report shall provide the person timely notice of the
35 requirements of this subdivision (h)(3)(D) prior to the expiration of the
36 ten-year period.

1 (b) However, failure to provide the notice
 2 does not relieve the person of his or her obligation under this subsection.

3 (4) After the date of an election at which the person is a
 4 candidate for nomination or election, the person shall not accept campaign
 5 contributions for ~~the past~~ that election except for the sole purpose of
 6 raising funds to retire ~~a previous~~ campaign debt.

7 (5) Surplus campaign funds or carryover funds given to a
 8 political party caucus shall be segregated in an account separated from other
 9 caucus funds and shall not be used:

10 (A) By the political party caucus to make a campaign
 11 contribution; or

12 (B) To provide any personal income to any candidate who
 13 donated surplus campaign funds or carryover funds.

14 (i) A candidate may maintain his or her campaign
 15 funds in one (1) or more campaign accounts. Campaign funds shall not be
 16 placed in an account containing personal or business funds.

17
 18 SECTION 3. Arkansas Code § 7-6-205(a) and (b), concerning the making
 19 of campaign contributions and resulting from Initiated Act 1 of 1990, is
 20 amended to read as follows:

21 (a) No campaign contribution shall be made to a candidate, a political
 22 action committee, an independent expenditure committee, an exploratory
 23 committee, a county political party committee, or a political party unless
 24 such contribution is made directly to the intended recipient, provided that
 25 it shall be permissible to make a contribution to a candidate's campaign
 26 committee instead of directly to the candidate.

27 (b) No contribution shall be made to or knowingly accepted by a
 28 candidate or his or her campaign committee, a political action committee, an
 29 independent expenditure committee, an exploratory committee, a county
 30 political party committee, or a political party unless the contribution is
 31 made in the name by which the person providing the funds for the contribution
 32 is identified for legal purposes.

33
 34 SECTION 4. Arkansas Code § 7-6-206 is amended to read as follows:
 35 7-6-206. Records of contributions and expenditures.

36 (a) A candidate, a political party, or a person acting in the

1 candidate's behalf shall keep records of all contributions and expenditures
2 in a manner sufficient to evidence compliance with §§ 7-6-207 - 7-6-210.

3 (b) The records shall be made available to the Arkansas Ethics
4 Commission and the prosecuting attorney in the district in which the
5 candidate resides, who ~~is~~ are delegated the responsibility of enforcing this
6 subchapter, and shall be maintained for a period of four (4) years.

7
8 SECTION 5. Arkansas Code § 7-6-207 (a) and (b), concerning the
9 reporting of contributions by a candidate for office other than school
10 district, township, municipal, or county offices and resulting from Initiated
11 Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as follows:

12 (a) Reports Required.

13 (1) Except as provided in subsection (c) of this section, each
14 candidate for office, other than a school district, township, municipal, or
15 county office, or a person acting in the candidate's behalf, shall file with
16 the Secretary of State:

17 (A) For each quarter during a calendar year in which a
18 candidate is not listed on any ballot for election, a quarterly report of all
19 contributions received and expenditures made during that quarter. The
20 quarterly report shall be filed no later than fifteen (15) days after the end
21 of each quarter;

22 (B) Beginning with the month of January in the calendar
23 year in which a candidate may be listed on any ballot for election, a monthly
24 report of all contributions received and expenditures made during that month.
25 However, for any month in which certain days of that month are included in a
26 preelection report required under subdivision (a)(1)(C) of this section or a
27 final report required under subdivision (a)(1)(D) of this section, no monthly
28 report for that month shall be due. In the case of a primary or runoff
29 election, those days of the month occurring after the date of the election
30 shall be carried forward and included in the next monthly report. The
31 monthly report shall be filed no later than fifteen (15) days after the end
32 of each month, except that the final report, covering the month during which
33 an election is held, shall be filed within thirty (30) days after the end of
34 the month in which the last election is held at which the candidate seeks
35 nomination and after the end of the month in which the general election is
36 held. With respect to a special election, the candidate shall file monthly

1 reports under this section beginning with the month in which the special
2 election candidate's total campaign contributions or expenditures exceed five
3 hundred dollars (\$500);

4 (C) No later than seven (7) days prior to any preferential
5 primary election, runoff election, general election, or special election in
6 which the candidate's name appears on the ballot, a preelection report of all
7 contributions received and expenditures made between the period covered by
8 the previous report and the period ten (10) days before the election. In
9 case of a runoff election, the report shall cover all contributions received
10 and expenditures made during that period of time which begins after the date
11 of the election from which the runoff arose and ends ten (10) days before the
12 runoff election; ~~and~~

13 (D) No later than thirty (30) days after the end of the
14 month in which the candidate's name has appeared on the ballot in any primary
15 election, runoff election, or general election, a final report of all
16 contributions received and expenditures made which have not been disclosed on
17 reports previously required to be filed. A final report is required
18 regardless of whether a candidate has received contributions or made
19 expenditures in excess of five hundred dollars (\$500); ~~and~~

20 (E)(i) No later than thirty (30) days after the end of the
21 month in which the candidate has withdrawn, a final report of all
22 contributions received and expenditures made that have not been disclosed on
23 reports previously required to be filed.

24 (ii) If a candidate withdraws from the campaign, the
25 candidate shall notify the Secretary of State in writing of the withdrawal.

26 (2) Upon receiving the first report from any candidate, or upon
27 receipt of the candidate's notice of filing for office, the Secretary of
28 State shall provide the candidate with information on the deadlines for
29 filing remaining quarterly, monthly, and preelection reports and shall
30 furnish each candidate with the appropriate forms and instructions for
31 complying with the deadlines. All reports shall be filed on the forms
32 furnished by the Secretary of State, except that computer-generated
33 contribution and expenditure reports shall be accepted by the Secretary of
34 State and the Arkansas Ethics Commission provided that all of the requisite
35 elements are included.

36 (3) For any report except a preelection report, a report is

1 timely filed if it is either hand delivered or mailed to the Secretary of
2 State, properly addressed, postage prepaid, bearing a postmark indicating
3 that it was received by the post office or common carrier on the date that
4 the report is due. A preelection report is timely filed if it is received in
5 the Secretary of State's office no later than seven (7) days prior to the
6 election for which it is filed. The Secretary of State shall accept via
7 facsimile any report, provided the original is received by the Secretary of
8 State within ten (10) days of the date of transmission. The Secretary of
9 State may receive reports in a readable electronic format which is acceptable
10 to the Secretary of State and approved by the commission.

11 (b) Contents of Reports.

12 (1) The contribution and expenditure reports required by
13 subsection (a) of this section shall indicate:

14 (A) The total amount of contributions received and the
15 total amount of expenditures made during the filing periods, and the
16 cumulative amount of those totals;

17 (B) The name and address of each person, including the
18 candidate, who made a contribution or contributions which, in the aggregate,
19 exceed fifty dollars (\$50.00), the contributor's place of business, employer,
20 occupation, and date of the contribution and the amount contributed;

21 (C) The contributor's principal place of business,
22 employer, occupation, the amount contributed, the date the contribution was
23 accepted by the candidate, and the aggregate contributed for each election;

24 (D) The name and address of each person, including the
25 candidate, who contributed a nonmoney item, together with a description of
26 the item, the date of receipt, and the value, not including volunteer service
27 by individuals;

28 (E) An itemization of all single expenditures made which
29 exceed one hundred dollars (\$100), including the amount of the expenditure,
30 the name and address of any person, including the candidate, to whom the
31 expenditure was made, and the date the 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,
35 but not limited to, television, radio, print, and other advertising, direct
36 mail, office supplies, rent, travel, expenses, entertainment, and telephone;

1 (H) The total amount of all nonitemized expenditures made
2 during the filing period; and

3 (I) The current balance of campaign funds.

4 (2)(A) The When the candidate's campaign has ended, the final
5 report shall also indicate which option under § 7-6-203(h) was used to
6 dispose of any surplus of campaign funds, the amount of funds disposed of by
7 the candidate, and the amount of funds retained by the candidate in
8 accordance with § 7-6-203(h).

9 (B) If the candidate's campaign has not ended, disposal of
10 campaign funds shall not be required and the candidate may carry forward any
11 remaining campaign funds to the general primary election, general election,
12 or general runoff election for that same office.

13
14 SECTION 6. Arkansas Code § 7-6-208(a) and (b), concerning the
15 reporting of contributions by candidates for school district, township, or
16 municipal office and resulting from Initiated Act 1 of 1996, is amended to
17 read as follows:

18 (a) Reports Required. Except as provided in subsection (d) of this
19 section, each candidate for school district, township, or municipal office,
20 or a person acting in the candidate's behalf, shall:

21 (1) No later than seven (7) days prior to any preferential
22 primary election, runoff election, general election, school election, or
23 special election in which the candidate's name appears on the ballot, file a
24 preelection report of all contributions received and expenditures made
25 between the period covered by the previous report, if any, and the period ten
26 (10) days before the election. In case of a runoff election, the report
27 shall cover all contributions received and expenditures made during that
28 period of time which begins after the date of the election from which the
29 runoff arose and ends ten (10) days before the runoff election;

30 (2) No later than thirty (30) days after any preferential
31 primary election, runoff election, general election, school election, or
32 special election in which the candidate's name has appeared on the ballot,
33 file a final report of all contributions received and expenditures made which
34 have not been disclosed on reports previously required to be filed. A final
35 report is required regardless of whether a candidate has received
36 contributions or made expenditures in excess of five hundred dollars (\$500);

1 and

2 (3) File supplemental reports of all contributions received and
3 expenditures made after the date of preparation of the final report. The
4 supplemental reports shall be filed within thirty (30) days after the receipt
5 of a contribution or the making of an expenditure-; and

6 (4)(A) No later than thirty (30) days after the end of the month
7 in which the candidate has withdrawn, file a final report of all
8 contributions received and expenditures made which have not been disclosed on
9 reports previously required to be filed.

10 (B) If a candidate withdraws from the campaign, the
11 candidate shall notify the county clerk in writing of the withdrawal.

12 (b) Contents of Reports.

13 (1) The contribution and expenditure reports required by
14 subsection (a) of this section shall indicate:

15 (A) The total amount of contributions received and the
16 total amount of expenditures made during the filing periods and the
17 cumulative amount of those totals;

18 (B) The name and address of each person, including the
19 candidate, who made a contribution or contributions which, in the aggregate,
20 exceeded fifty dollars (\$50.00), the contributor's place of business,
21 employer, occupation, and date of the contribution and the amount
22 contributed;

23 (C) The contributor's principal place of business,
24 employer, occupation, the amount contributed, the date the contribution was
25 accepted by the candidate and the aggregate contributed for each election;

26 (D) The name and address of each person, including the
27 candidate, who contributed a nonmoney item, together with a description of
28 the item, the date of receipt, and the value, not including volunteer service
29 by individuals;

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

34 (F) A list of all paid campaign workers and the amount the
35 workers were paid;

36 (G) A list of all expenditures by categories, including,

1 but not limited to, television, radio, print, and other advertising, direct
2 mail, office supplies, rent, travel, expenses, entertainment, and telephone;

3 (H) The total amount of all nonitemized expenditures made
4 during the filing period; and

5 (I) The current balance of campaign funds.

6 (2)(A) The When the candidate's campaign has ended, the final
7 report shall also indicate which option under § 7-6-203(h) was used to
8 dispose of any surplus of campaign funds, the amount of funds disposed of by
9 the candidate, and the amount of funds retained by the candidate in
10 accordance with § 7-6-203(h).

11 (B) If the candidate's campaign has not ended,
12 disposal of campaign funds is not required and the candidate may carry
13 forward any remaining campaign funds to the general primary election, general
14 election, or general runoff election for that same office.

15 (3)(A) Not later than fourteen (14) days after the deadline for
16 filing for office, the county clerk shall notify each candidate in person or
17 by mail of the deadlines for filing the ten-day preelection and final reports
18 required by subsection (a) of this section and, at that time, furnish each
19 candidate with the appropriate forms and instructions for complying with the
20 deadlines.

21 (B) If notice is sent by mail, then the notice shall be
22 postmarked within fourteen (14) days after the deadline for filing for
23 office.

24
25 SECTION 7. Arkansas Code § 7-6-209(a) and (b), concerning the
26 reporting of contributions by candidates for county office and resulting from
27 Initiated Act 1 of 1996, is amended to read as follows:

28 (a) Reports Required. Except as provided in subsection (d) of this
29 section, each candidate for county office or a person acting in the
30 candidate's behalf shall:

31 (1) No later than seven (7) days prior to any preferential
32 primary election, runoff election, general election, or special election in
33 which the candidate's name appears on the ballot, file a preelection report
34 of all contributions received and expenditures made between the period
35 covered by the previous report, if any, and the period ten (10) days before
36 the election. In case of a runoff election, the report shall cover all

1 contributions received and expenditures made during that period of time which
2 begins after the date of the election from which the runoff arose and ends
3 ten (10) days before the runoff election;

4 (2) No later than thirty (30) days after any preferential
5 primary election, runoff election, general election, or special election in
6 which the candidate's name has appeared on the ballot, file a final report of
7 all contributions received and expenditures made which have not been
8 disclosed on reports previously required to be filed. A final report is
9 required regardless of whether a candidate has received contributions or made
10 expenditures in excess of five hundred dollars (\$500); ~~and~~

11 (3) File supplemental reports of all contributions received and
12 expenditures made after the date of preparation of the final report, and the
13 supplemental reports shall be filed within thirty (30) days after the receipt
14 of a contribution or the making of an expenditure; and

15 (4)(A) No later than thirty (30) days after the end of the month
16 in which the candidate has withdrawn, a final report of all contributions
17 received and expenditures made which have not been disclosed on reports
18 previously required to be filed.

19 (B) If a candidate withdraws from the campaign, the
20 candidate shall notify the county clerk in writing of the withdrawal.

21 (b) Contents of Reports.

22 (1) The contribution and expenditure reports required by
23 subsection (a) of this section shall indicate:

24 (A) The total amount of contributions received and the
25 total amount of expenditures made during the filing periods, and the
26 cumulative amount of those totals;

27 (B) The name and address of each person, including the
28 candidate, who made a contribution or contributions which, in the aggregate,
29 exceed fifty dollars (\$50.00), the contributor's place of business, employer,
30 occupation, and date of the contribution and the amount contributed;

31 (C) The contributor's principal place of business,
32 employer, occupation, the amount contributed, the date the contribution was
33 accepted by the candidate, and the aggregate contributed for each election;

34 (D) The name and address of each person, including the
35 candidate, who contributed a nonmoney item, together with a description of
36 the item, the date of receipt, and the value, not including volunteer service

1 by individuals;

2 (E) An itemization of all single expenditures made which
3 exceeded one hundred dollars (\$100), including the amount of the expenditure,
4 the name and address of any person, including the candidate, to whom the
5 expenditure was made, and the date the expenditure was made;

6 (F) A list of all paid campaign workers and the amount the
7 workers were paid;

8 (G) A list of all expenditures by categories, including,
9 but not limited to, television, radio, print, and other advertising, direct
10 mail, office supplies, rent, travel, expenses, entertainment, and telephone;

11 (H) The total amount of all nonitemized expenditures made
12 during the filing period; and

13 (I) The current balance of campaign funds.

14 (2)(A) The When the candidate's campaign has ended, the final
15 report shall also indicate which option under § 7-6-203(h) was used to
16 dispose of any surplus of campaign funds, the amount of funds disposed of by
17 the candidate, and the amount of funds retained by the candidate in
18 accordance with § 7-6-203(h).

19 (B) If the candidate's campaign has not ended, disposal of
20 campaign funds is not required and the candidate may carry forward any
21 remaining funds in the campaign to the general primary election, general
22 election, or general runoff election for that same office.

23 (3)(A) Not later than fourteen (14) days after the deadline for
24 filing for office, the county clerk shall notify each candidate in person or
25 by mail of the deadlines for filing the ten-day preelection and final reports
26 required by subsection (a) of this section and, at that time, furnish each
27 candidate with the appropriate forms and instructions for complying with the
28 deadlines.

29 (B) If notice is sent by mail, then the notice shall be
30 postmarked within fourteen (14) days after the deadline for filing for
31 office.

32

33 SECTION 8. Arkansas Code § 7-6-215, resulting from Initiated Act 1 of
34 1990 and Initiated Act 1 of 1996, is amended to read as follows:

35 7-6-215. Registration and reporting by approved political action
36 committees.

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

5 (B) Registration shall be annually renewed by January 15,
6 unless the committee has ceased to exist.

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

10 (2)(A) The committee shall maintain for a period of four (4)
11 years records evidencing the name, address, and place of employment of each
12 person that contributed to the committee, along with the amount contributed.

13 (B) Furthermore, the committee shall maintain for a period
14 of four (4) years records evidencing the name and address of each candidate
15 who received a contribution from the committee, along with the amount
16 contributed.

17 (3)(A) The committee shall ~~appoint a treasurer who is a~~
18 ~~qualified elector of~~ designate a resident agent who shall be an individual
19 who resides in this state.

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

23 (4) An out-of-state committee, including a federal committee,
24 shall be required to comply with the registration and reporting provisions of
25 this section, ~~including the appointment of a treasurer who is a qualified~~
26 ~~elector of this state and the establishment of an account in a depository~~
27 ~~within this state,~~ if the committee contributes more than five hundred
28 dollars (\$500) in a calendar year to candidates, ballot question committees,
29 legislative question committees, political parties, county political party
30 committees, independent expenditure committees, or other political action
31 committees within this state.

32 (b) The ~~approved political action committee shall disclose on the~~
33 registration form of an approved political action committee shall contain the
34 following information:

35 (1) The name, address, and, where available, phone number of the
36 committee and the name, address, phone number, and place of employment of

1 each of its officers, provided if the committee's name is an acronym, then
 2 both it and the words forming the acronym shall be disclosed;

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

7 (3) [Repealed.]

8 (4) The full name and street address, city, state, and zip code
 9 of ~~the each~~ financial institution ~~in this state that the committee designates~~
 10 ~~as its official depository for the purposes of depositing all money~~
 11 ~~contributions that it receives in this state and making all expenditures in~~
 12 ~~this state~~ the committee uses for purposes of receiving contributions or
 13 making expenditures; and

14 (5) A written acceptance of ~~appointment by the treasurer~~
 15 designation as a resident agent;

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

19 (7) A clause submitting the committee to the jurisdiction of the
 20 State of Arkansas for all purposes related to compliance with the provisions
 21 of this subchapter.

22 (c)(1) When a committee makes a change to any of information required
 23 in subsection (b) of this section, an amendment shall be filed within ten
 24 (10) days to reflect the change.

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

28 ~~(e)(d)~~(1) Within fifteen (15) calendar days after the end of each
 29 calendar quarter, political action committees shall file a quarterly report
 30 with the Secretary of State, including the following information:

31 (A) The total amount of contributions received and the
 32 total amount of contributions made during the filing period and the
 33 cumulative amount of those totals;

34 (B) The current balance of committee funds;

35 (C) The name and address of each person that made a
 36 contribution or contributions to the committee that exceeded five hundred

1 dollars (\$500) in the aggregate, the contributor's place of business,
 2 employer, occupation, the date of the contribution, the amount contributed,
 3 and the total contributed for the year;

4 (D) The name and address of each candidate or committee,
 5 if any, to whom or which the committee made a contribution or contributions
 6 that exceeded fifty dollars (\$50.00) in the aggregate during the filing
 7 period, with the amount contributed and the election for which the
 8 contribution was made;

9 (E) The name and address of each candidate or committee,
 10 if any, to whom or which the committee contributed a nonmoney item, together
 11 with a description of the item, the date the item was contributed, and the
 12 value of the item; and

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

18 ~~(F) Any change in information required in subsection (b).~~

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

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

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

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

33
 34 SECTION 9. Arkansas Code § 7-6-216(d), concerning registration and
 35 reports by exploratory committees and resulting from Initiated Act 1 of 1990,
 36 is amended to read as follows:

1 (d)(1) The first report shall be filed for the month in which the
2 committee files its registration. The final report shall be filed within
3 thirty (30) days after the end of the month in which the committee either
4 transfers its contributions to a candidate's campaign or no longer accepts
5 contributions.

6 (2) The committee shall not accept contributions after the
7 filing of a final report.

8
9 SECTION 10. Arkansas Code § 7-6-218(b)(4)(B)(i), concerning fines
10 imposed by the Arkansas Ethics Commission for violations of Arkansas law and
11 resulting from Initiated Act 1 of 1990, is amended to read as follows:

12 (B)(i) Notwithstanding the provisions of §§ 7-6-202, 7-9-
13 409, 21-8-403, and 21-8-903, impose a fine of not less than ~~twenty-five~~
14 ~~dollars (\$25.00)~~ fifty dollars (\$50.00) nor more than ~~one thousand dollars~~
15 ~~(\$1,000)~~ two thousand dollars (\$2,000) for negligent or intentional violation
16 of this subchapter or § 21-8-301 et seq., § 21-8-401 et seq., ~~§ 21-8-501 et~~
17 ~~seq.~~, § 21-8-601 et seq., § 21-8-701 et seq., § 21-8-801 et seq., and § 21-8-
18 901 et seq.

19
20 SECTION 11. Arkansas Code § 7-6-222, resulting from Initiated Act 1 of
21 1996, is amended to read as follows:

22 7-6-222. Tax credits for certain individual political contributions.

23 (a) Pursuant to regulations to be adopted by the Department of Finance
24 and Administration, a credit against individual Arkansas income taxes shall
25 be allowed for money contributions made by the taxpayer in a taxable year to
26 one (1) or more of the following:

27 (1) A candidate seeking nomination or election to a public
28 office at an election or to the candidate's campaign committee;

29 ~~(2) A small donor political action committee as defined in § 7-~~
30 ~~6-201;~~

31 ~~(3)~~(2) An approved political action committee as defined in § 7-
32 6-201; or

33 ~~(4)~~(3) An organized political party as defined in § 7-1-101.

34 (b) The credit allowed by subsection (a) of this section shall be the
35 aggregate contributions, not to exceed fifty dollars (\$50.00) on an
36 individual tax return, or the aggregate contributions, not to exceed one

1 hundred dollars (\$100) on a joint return.

2 (c) Credits for contributions qualifying under this section and made
3 prior to April 15 in a calendar year may be applied to the return filed for
4 the previous taxable year.

5

6 SECTION 12. Arkansas Code § 7-6-226(c), concerning quarterly reports
7 filed by county political party committees, is amended to read as follows:

8 (c)(1) Within fifteen (15) calendar days after the end of each
9 calendar quarter, county political party committees shall file a quarterly
10 report with the Secretary of State, including the following information:

11 (A) The total amount of contributions received and the
12 total amount of contributions made during the filing period and the
13 cumulative amount of those totals;

14 (B) The current balance of committee funds;

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

20 (D) The name and address of each candidate or committee,
21 if any, to whom or which the committee made a contribution or contributions
22 that exceeded fifty dollars (\$50.00) in the aggregate during the filing
23 period, with the amount contributed and the election for which the
24 contribution was made;

25 (E) The name and address of each candidate or committee,
26 if any, to whom or which the committee contributed a nonmoney item, together
27 with a description of the item, the date the item was contributed, and the
28 value of the item;

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

34 ~~(F)~~(G) Any change in the information required by
35 subsection (b) of this section.

36 (2) The reports shall be verified by an affidavit of an officer

1 of the committee stating that to the best of his or her knowledge and belief
 2 the information disclosed is a complete, true, and accurate financial
 3 statement of the committee's contributions received and made.

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

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

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

14
 15 SECTION 13. Arkansas Code § 7-9-404(c), concerning changes of
 16 information in statements of organization, is amended to read as follows:

17 (c) When any of the information required in a statement of
 18 organization is changed, an amendment shall be filed within ten (10) days to
 19 reflect the change, except that changes in individual membership may be filed
 20 when the next ~~campaign statement~~ financial report is required. A committee
 21 failing to file a change as required ~~shall pay a late filing fee of ten~~
 22 ~~dollars (\$10.00)~~ shall be subject to a late filing fee not exceeding ten
 23 dollars (\$10.00) for each day the change remains not filed.

24 (d) Upon dissolution, a ballot question committee or a legislative
 25 question committee shall so notify the commission in writing. Any remaining
 26 funds on hand at the time of dissolution shall be turned over to either:

27 (1) The Treasurer of State for the benefit of the General
 28 Revenue Fund Account of the State Apportionment Fund;

29 (2) An organized political party as defined in § 7-1-101 or a
 30 political party caucus of the General Assembly, the Senate, or House of
 31 Representatives;

32 (3) A nonprofit organization which is exempt from taxation under
 33 Section 501(c)(3) of the Internal Revenue Code; or

34 (4) The contributors to the ballot or legislative question
 35 committee.

36

1 SECTION 14. Arkansas Code § 7-9-406 is amended to read as follows:
2 7-9-406. Financial reports - Requirement.

3 (a) A ballot question committee or legislative question committee
4 which either receives contributions or makes expenditures in excess of five
5 hundred dollars (\$500) for the purpose of expressly advocating the
6 qualification, disqualification, passage, or defeat of a ballot question or
7 the passage or defeat of a legislative question shall file with the Arkansas
8 Ethics Commission financial reports as required by ~~§ 7-9-407~~ §§ 7-9-407 – 7-
9 9-409.

10 (b) An individual person who on his or her own behalf expends in
11 excess of five hundred dollars (\$500), excluding contributions, for the
12 purpose of expressly advocating the qualification, disqualification, passage,
13 or defeat of a ballot question or the passage or defeat of a legislative
14 question shall file with the commission financial reports as required by §
15 ~~7-9-407~~ §§ 7-9-407 – 7-9-409.

16 (c) A public servant or governmental body expending public funds in
17 excess of five hundred dollars (\$500) for the purpose of expressly advocating
18 the qualification, disqualification, passage, or defeat of a ballot question
19 or the passage or defeat of a legislative question shall file with the
20 commission financial reports as required by ~~§ 7-9-407~~ §§ 7-9-407 – 7-9-409.

21 (d) ~~Any~~ Except as provided in subsection (f) of this section, any
22 report required by this subchapter shall be deemed timely filed if it is:

23 (1) Hand-delivered to the commission on or before the date due;

24 (2) Mailed to the commission, properly addressed, postage
25 prepaid, bearing a postmark indicating that it was received by the post
26 office or common carrier on or before the date due;

27 (3) Received via facsimile by the commission on or before the
28 date due, provided that the original is received by the commission within ten
29 (10) days of the transmission; or

30 (4) Received by the commission in a readable electronic format
31 which is approved by the commission.

32 (e) Whenever a report under this subchapter becomes due on a day which
33 is a Saturday, Sunday, or legal holiday, the report shall be due the next day
34 which is not a Saturday, Sunday, or legal holiday.

35 (f) A preelection report is timely filed if it is received by the
36 commission no later than seven (7) days prior to the election for which it is

1 filed.

2

3 SECTION 15. Arkansas Code § 7-9-410 is amended to read as follows:

4 7-9-410. Public inspection - Record retention.

5 (a) All statements of organization and financial reports required by
6 this subchapter shall be open to public inspection at the office of the
7 Arkansas Ethics Commission during regular office hours.

8 (b) All records supporting the reports filed under this subchapter
9 shall be:

10 (1) Made available to the Arkansas Ethics Commission; and

11 (2) ~~retained~~ Retained by the filer for a period of four (4)
12 years after the date of filing the report.

13

14 SECTION 16. Arkansas Code § 21-8-304(a), concerning the use of
15 official positions to secure special privileges, is amended to read as
16 follows:

17 (a) No public official or state employee shall use or attempt to use
18 his or her official position to secure special privileges or ~~exemption~~
19 exemptions for himself or herself or his or her spouse, child, parents, or
20 other persons standing in the first degree of relationship, or for those with
21 whom he or she has a substantial financial relationship that ~~is~~ are not
22 available to others except as may be otherwise provided by law.

23

24 SECTION 17. Arkansas Code § 21-8-701(d), concerning statements of
25 financial interest and resulting from Initiated Act 1 of 1988, is amended to
26 read as follows:

27 (d) The statement of financial interest shall include the following:

28 (1) The name of the public servant or candidate and his or her
29 spouse and all names under which they do business;

30 (2) The reasons for filing the statement of financial interest;

31 (3)(A) Identification of each employer and of each other source
32 of gross income amounting to more than one thousand dollars (\$1,000) annually
33 received by the person or his or her spouse in their own names, or by any
34 other person for the use or benefit of the public servant or candidate or his
35 or her spouse, and a brief description of the nature of the services for
36 which the compensation was received, except that this subdivision (d)(3)

1 shall not be construed to require the disclosure of individual items of
2 income that constitute a portion of the gross income of the business or
3 profession from which the public servant or candidate or his or her spouse
4 derives income; and

5 (B) In addition thereto, identification of each source of
6 gross income as described above of more than twelve thousand five hundred
7 dollars (\$12,500), except that this shall not be construed to require the
8 disclosure of individual items of income that constitute a portion of the
9 gross income of the business or profession from which the public servant or
10 candidate or his or her spouse derives income;

11 (4)(A) The name of every business in which the public servant or
12 candidate and his or her spouse, or any other person for the use or benefit
13 of the public servant or candidate or his or her spouse, have an investment
14 or holdings of over one thousand dollars (\$1,000) at fair market value as of
15 the last day of the previous calendar year; and

16 (B) In addition thereto, identification of each source as
17 described above which has a fair market value of over twelve thousand five
18 hundred dollars (\$12,500) as of the last day of the previous calendar year;

19 (5) Every office or directorship held by the public servant or
20 candidate or his or her spouse in any business, corporation, firm, or
21 enterprise subject to jurisdiction of a regulatory agency of this state or of
22 any of its political subdivisions;

23 (6)(A) The name and address of each creditor to whom the value
24 of five thousand dollars (\$5,000) or more was personally owed or personally
25 obligated and is still outstanding by the public servant or candidate.

26 (B)(i) Loans made in the ordinary course of business by
27 either a financial institution or a person who regularly and customarily
28 extends credit shall not be required to be disclosed.

29 (ii) Debts owed to the members of the public
30 servant's or candidate's family need not be included;

31 (7)(A) The name and address of each guarantor or co-maker, other
32 than a member of the public servant's or candidate's family, who has
33 guaranteed a debt of the public servant or candidate that is still
34 outstanding.

35 (B)(i) This requirement shall be applicable only to debt
36 guaranties for debts assumed or arising after January 1, 1989.

1 (ii) Guaranteed debts existing prior to January 1,
2 1989, which are extended or refinanced shall become subject to disclosure in
3 the annual financing statement due to be filed after the conclusion of the
4 year in which such extension or refinancing occurred;

5 (8) The source, date, description, and a reasonable estimate of
6 the fair market value of each gift of more than one hundred dollars (\$100)
7 received by the public servant or candidate or his or her spouse or more than
8 two hundred fifty dollars (\$250) received by his or her dependent children;

9 (9) Each monetary or other award of more than one hundred
10 dollars (\$100) received by the public servant or candidate in his or her
11 capacity as an employee of a public school district, the Arkansas School for
12 the Blind, the Arkansas School for the Deaf, the ~~Arkansas School for~~
13 ~~Mathematics and Science~~ Arkansas School for Mathematics, Sciences, and the
14 Arts, a university, a college, a technical college, a technical institute, a
15 comprehensive life-long learning center, or a community college in
16 recognition of his or her contribution to education;

17 (10) Each nongovernmental source of payment of the public
18 servant's expenses for food, lodging, or travel which bears a relationship to
19 the public servant's office when the public servant is appearing in his or
20 her official capacity when the expenses incurred exceed one hundred fifty
21 dollars (\$150). The public servant shall identify the name and business
22 address of the person or organization paying the public servant's expenses
23 and the date, ~~and~~ nature, and amount of that expenditure if not compensated
24 by the entity for which the public servant serves;

25 (11) Any public servant who is employed by any business which is
26 under direct regulation or subject to direct control by the governmental body
27 which he or she serves shall set out this employment and the fact that the
28 business is regulated by or subject to control of the governmental body on
29 the statement of financial interest; and

30 (12) If a public servant or any business in which he or she or
31 his or her spouse is an officer, director, stockholder owning more than ten
32 percent (10%) of the stock of the company, and the owner, trustee, or partner
33 shall sell any goods or services having a total annual value in excess of one
34 thousand dollars (\$1,000) to the governmental body in which the public
35 servant serves or is employed, then the public servant shall set out in
36 detail the goods or services sold, the governmental body to which they were

1 sold, and the compensation paid for each category of goods or services sold.

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