

As Engrossed: 1/26/95 3/30/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 863 OF 1995
HOUSE BILL 1229

4 **By: Representative Argue, Ferrell, Vess, and T. Smith**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-6-203 (i) AND (j) TO
9 PROHIBIT A CANDIDATE FROM TAKING CAMPAIGN FUNDS AS
10 PERSONAL INCOME; TO EXPAND THE USE OF SURPLUS CAMPAIGN
11 FUNDS; TO REPEAL ARKANSAS CODE 7-6-203 (h) CONCERNING THE
12 TAKING OF CAMPAIGN FUNDS AS PERSONAL INCOME; AND FOR OTHER
13 PURPOSES."

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Subtitle

16 "AN ACT TO PROHIBIT A CANDIDATE FROM
17 TAKING CAMPAIGN FUNDS AS PERSONAL INCOME
18 AND TO EXPAND THE USE OF SURPLUS
19 CAMPAIGN FUNDS."

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

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24 SECTION 1. Arkansas Code 7-6-203 (i) is amended to read as follows:

25 "(i) A candidate shall not take any campaign funds as personal income.
26 A candidate shall not take any campaign funds as income for his or her spouse
27 or dependent children; except that this subsection (i) shall not prohibit a
28 candidate who has an opponent to employ his or her spouse or dependent
29 children as campaign workers and except that any candidate who has an opponent
30 and who during the campaign and before the election takes a leave of absence
31 without pay from his primary place of employment shall be authorized to take
32 campaign funds during the campaign and before the election as personal income
33 up to the amount of employment income lost as a result of such leave of
34 absence."

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36 SECTION 2. Arkansas Code 7-6-203 (j) is amended to read as follows:

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1 "(j) (1) Within thirty (30) days following a general election, a
2 candidate shall turn over to either:

3 (A) The Treasurer of State for the benefit of the General
4 Revenue Fund Account of the State Apportionment Fund;

5 (B) An organized political party as defined in §
6 7-1-101(1);

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

9 (D) The contributors to the candidate's campaign, any
10 balance of campaign funds over expenses incurred as of the day of the election
11 except for:

12 (i) An amount equal to the yearly salary, excluding
13 expense allowances, set by Arkansas law for the office sought; and

14 (ii) Any funds required to reimburse the candidate
15 for personal funds contributed to the campaign or to repay loans made by
16 financial institutions to the candidate and applied to the campaign.

17 (2) If an unopposed candidate agrees not to solicit further
18 campaign contributions by filing an affidavit with the Secretary of State
19 declaring such agreement, the candidate may dispose of any surplus of campaign
20 funds prior to a general election after the time has passed to declare an
21 intent to be a write-in candidate pursuant to § 7-5-205.

22 (3) *Campaign funds retained by the candidate under subdivision*
23 *(j) (1) (D) (i) of this section may be expended at any time for any purpose not*
24 *prohibited by this chapter. However, the candidate shall not take the funds*
25 *as personal income or as income for his or her spouse or dependent children."*
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27 SECTION 3. *Arkansas Code 7-6-203 (h) is repealed.*
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29 SECTION 4. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.
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33 SECTION 5. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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

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/s/Argue, et al

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APPROVED: 4-3-95

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