

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

A Bill

ACT 1263 OF 1995
HOUSE BILL 1153

4 **By: Representatives Flanagin and Bisbee**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-6-207 (a) TO PROVIDE THAT
9 WHENEVER A PREELECTION REPORT IS REQUIRED, IT SHALL BE
10 FILED IN LIEU OF A MONTHLY REPORT COVERING THE PREVIOUS
11 MONTH; AND FOR OTHER PURPOSES."

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Subtitle

14 "AN ACT TO PROVIDE THAT WHENEVER A
15 PREELECTION REPORT IS REQUIRED, IT SHALL
16 BE FILED IN LIEU OF A MONTHLY REPORT
17 COVERING THE PREVIOUS MONTH."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code 7-6-207 (a) is amended to read as follows:

24 "(a) Reports Required. Except as provided in subsection (c) of this
25 section, each candidate for office, other than a school district, township,
26 municipal, or county office, or a person acting in the candidate's behalf,
27 shall:

28 (a) *REPORTS REQUIRED. (1) Except as provided in subsection (c)*
29 *of this section, each candidate for office, other than a school district,*
30 *township, municipal or county office, or a person acting in the candidate's*
31 *behalf shall file with the Secretary of State and the county clerk in the*
32 *county where the candidate resides:*

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

1 of each quarter.

2 (B) Beginning with the month of January in the calendar
3 year in which a candidate may be listed on any ballot for election, a monthly
4 report of all contributions received and expenditures made during that month.
5 However, for any month in which certain days of that month are included in a
6 preelection report required under subdivision (a) (1) (C), no monthly report for
7 that month shall be due but those days of that month not included in the
8 preelection report shall be carried forward and included in the final election
9 report for that election. The monthly report shall be filed no later than
10 fifteen (15) days after the end of each month, except that the final monthly
11 report, covering the month during which an election is held, shall be filed
12 within thirty (30) days after the end of the month in which the last election
13 is held at which the candidate seeks nomination and after the end of the month
14 in which the general election is held. With respect to a special election,
15 the candidate shall file monthly reports hereunder beginning with the month in
16 which the special election candidate's total campaign contributions or
17 expenditures exceed five hundred dollars (\$500).

18 (C) No later than seven (7) days prior to preferential
19 primary elections, runoff elections, general elections or special elections,
20 file a preelection report of all contributions received and expenditures made
21 between the period covered by the previous report and the period ten (10) days
22 before the election.

23 (D) No later than fifteen (15) days after the end of the
24 quarter, a quarterly supplemental reports of all contributions received and
25 expenditures made between the final monthly report and the first quarterly
26 report. No supplemental report is required to be filed during any quarter in
27 which the candidate has received no contributions and made no expenditures.

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

1 provided that all of the requisite elements are included.

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3 (3) For all reports except preelection reports, a report is
4 timely filed if it is either hand delivered or mailed to the Secretary of
5 State, properly addressed, postage prepaid bearing a postmark indicating that
6 it was received by the post office or common carrier on the date that the
7 report is due. A preelection report is timely filed if it is received in the
8 Secretary of State's office no later than seven (7) days prior to the election
9 for which it is filed. The Secretary of State shall accept an electronic
10 facsimile via telephone transmission of any preelection report.

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 which, in the aggregate, exceeds one
19 hundred dollars (\$100);

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

23 (D) A description of non-money items contributed, not
24 including volunteer service by individuals;

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

29 (F) A list of all paid campaign workers and the amount the
30 workers were paid;

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

34 (H) The total amount of all non-itemized expenditures made
35 during the filing period; and

1 (I) The current surplus or debt of campaign funds.

2 (2) The final report shall also indicate which option under
3 § 7-6-203(j) was used to dispose of any surplus of campaign funds, the amount
4 of funds disposed of by the candidate and the amount of funds retained by the
5 candidate in accordance with 7-6-203(j).

6 (c)(1) Reports Not Required. The candidate or any person acting in the
7 candidate's behalf shall comply with the filings required by this section
8 beginning with the first reporting period, either quarterly, monthly or
9 preelection, in which his total contributions or expenditures exceed five
10 hundred dollars (\$500). A candidate who has not received contributions or
11 made expenditures in excess of five hundred dollars (\$500) shall not be
12 required to file any reports required under this section other than the final
13 monthly report required under subdivision (a)(1)(B).

14 (2) A candidate or any person acting in the candidate's behalf as
15 covered by this subsection shall not be required to file the expenditure or
16 supplement reports identified in § 7-6-212.

17 (d)(1) Filings and Public Inspection. The Secretary of State shall
18 establish a filing system for reports filed pursuant to this section. The
19 reports shall be kept for eight (8) years from the date of filing and
20 catalogued by candidate in chronological order and made available for public
21 inspection. After the eight-year period, the Secretary of State shall turn
22 the reports over to the Arkansas History Commission for maintenance and
23 continued public inspection.

24 (2) The Secretary of State shall furnish to the Arkansas Ethics
25 Commission, no later than thirty (30) days after each filing deadline under
26 this section, a report listing the names of all candidates who have filed for
27 office, the type of report filed by each such candidate and the date the
28 report was received by the Secretary of State."

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

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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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

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/s/Rep. Flanagan, et al

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APPROVED: 4-13-95

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As Engrossed: 3/16/95 3/23/95

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