

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4
5 By: Senator M. Johnson

A Bill

SENATE BILL 699

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING CAMPAIGN FINANCE;
9 TO AMEND THE LAW CONCERNING MANDATORY ELECTRONIC
10 REPORT FILING; TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES.

Subtitle

15 TO AMEND THE LAW CONCERNING CAMPAIGN
16 FINANCE; TO AMEND THE LAW CONCERNING
17 MANDATORY ELECTRONIC REPORT FILING; AND
18 TO DECLARE AN EMERGENCY.

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

23 SECTION 1. Arkansas Code § 7-6-230(a), concerning the alternative to
24 electronic filing of reports, is amended to read as follows:

25 (a)(1) A candidate required to file carryover fund reports in
26 electronic form under § 7-6-203 and campaign contribution and expenditure
27 reports in electronic form under § 7-6-207 may file reports in paper form
28 under this section ~~if:~~

29 ~~(A) The candidate does not have access to the technology~~
30 ~~necessary to submit reports in electronic form; and~~

31 ~~(B) Submitting reports in electronic form would constitute~~
32 ~~a substantial hardship for the candidate.~~

33 (2)(A) A candidate filing reports in paper form under
34 subdivision (a)(1) of this section shall submit with his or her first paper
35 report in an election cycle a notarized affidavit on a form prepared by the
36 Secretary of State ~~declaring that:~~



1 ~~(i) The candidate does not have access to the~~
2 ~~technology necessary to submit reports in electronic form;~~

3 ~~(ii) Submitting reports in electronic form would~~
4 ~~constitute a substantial hardship for the candidate; and~~

5 ~~(iii) The candidate agrees to file all other reports~~
6 ~~in paper form for the duration of the election cycle.~~

7 (B) The Secretary of State shall:

8 (i) Not accept a report in paper form under
9 subdivision (a)(1) of this section if a notarized affidavit was not submitted
10 with the first paper report in the election cycle;

11 (ii) Provide written notice to the candidate within
12 five (5) business days if the report in paper form was not filed or accepted;
13 and

14 (iii) Provide the reason the report in paper form
15 was not filed or accepted.

16 (C) The Secretary of State shall develop electronic
17 reporting forms, including without limitation:

18 (i) A cover sheet for a reporting period;

19 (ii) Campaign contribution reports; and

20 (iii) Campaign expenditure reports.

21 (D) The Secretary of State shall develop electronic
22 reporting forms in a manner that allows a candidate to:

23 (i) Fill out an electronic form for each reporting
24 period in an electronic word processing file, portable document format, or
25 equivalent format that may be saved in a read-only format;

26 (ii) Upload the electronic reporting forms
27 electronically by an upload to the internet or delivered by electronic media
28 to the Secretary of State; and

29 (iii) Combine all electronic forms into a single
30 document that is available to the public in an electronically searchable
31 format.

32
33 SECTION 2. DO NOT CODIFY. Duty of Secretary of State.

34 The Secretary of State shall:

35 (1) Develop criteria for an updated and simplified electronic
36 campaign finance online reporting system by January 1, 2022; and

1 (2) Develop a timeline of the expected time to implement the
2 updated and simplified electronic campaign finance online reporting system.

3
4 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly of the State of Arkansas that the online campaign finance
6 reporting forms and system of the Secretary of State result in inaccurate
7 reports; that transparency in campaign finance reporting is an important
8 function of preserving the public trust; that ensuring the accuracy and ease
9 of campaign finance reporting will ensure candidates are fully complying with
10 campaign finance laws; and that this act is immediately necessary because the
11 current electronic reporting system is difficult to use and creates
12 inconsistencies in the campaign finance reporting and damages the public
13 trust. Therefore, an emergency is declared to exist, and this act being
14 immediately necessary for the preservation of the public peace, health, and
15 safety shall become effective on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,
18 the expiration of the period of time during which the Governor may veto the
19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is
21 overridden, the date the last house overrides the veto.

22
23
24 **APPROVED: 4/29/21**