

Hall of the House of Representatives

90th General Assembly - Regular Session, 2015

Amendment Form

Subtitle of House Bill No. 1233

TO AMEND ARKANSAS LAW CONCERNING THE FILING OF CERTAIN REPORTS WITH THE SECRETARY OF STATE; AND TO AMEND PORTIONS OF LAW RESULTING FROM INITIATED ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996.

Amendment No. 1 to House Bill No. 1233

Amend House Bill No. 1233 as originally introduced:

Page 3, delete line 30, and substitute the following:

"SECTION 5. Arkansas Code Title 7, Chapter 6, Subchapter 2, is amended to add an additional section to read as follows:

7-6-228. Alternative to electronic filing of reports.

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

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

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

(2)(A) A candidate filing reports in paper form under subdivision (a)(1) of this section shall submit with each paper report a notarized affidavit declaring that:

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

(ii) Submitting reports in electronic form would constitute a substantial hardship for the candidate.

(B) The affidavit under subdivision (a)(2)(A) of this section shall be:

(i) Considered part of the paper report filed with the affidavit; and

(ii) Retained under § 7-6-207(d)(1).

(b)(1) The Secretary of State shall make available to candidates wishing to file reports in paper form under this section:

(A) Information on the deadlines for filing required reports; and

(B)(i) Appropriate forms and instructions for complying with the deadlines.

(ii) The Arkansas Ethics Commission shall approve



the forms and instructions used by the Secretary of State to ensure that all required information is requested.

(2) Reports shall be filed on the forms furnished by the Secretary of State, except that computer-generated contribution and expenditure reports shall be accepted by the Secretary of State and the Arkansas Ethics Commission provided that all of the requisite elements are included.

(c)(1)(A) A report submitted in paper form under this section other than a preelection report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, and postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on the date that the report is due.

(B) A preelection report submitted in paper form under this section is timely filed if it is received in the Secretary of State's office no later than seven (7) days before the election for which it is filed.

(2) The Secretary of State shall accept a report via facsimile, provided the original is received by the Secretary of State within ten (10) days of the date of facsimile transmission.

(d) The Secretary of State shall display links to campaign contribution and expenditure reports submitted in paper form, carryover fund reports submitted in paper form, and affidavits accompanying reports filed in paper form, on the portion of the official website of the Secretary of State allowing for searches of campaign contribution and expenditure report information and carryover fund report information submitted under this chapter.

SECTION 6. EFFECTIVE DATE. Sections 1 – 5 of this act shall become effective October 1, 2015.

SECTION 7. TEMPORARY LANGUAGE - DO NOT CODIFY. (a) The Secretary of State shall provide that the website utilized for the submission of campaign contribution and expenditure reports and carryover fund reports in electronic form allows candidates to electronically upload campaign contribution and expenditure information in lieu of manual entry of each contribution and expenditure.

(b) The Secretary of State shall obtain the approval of the Arkansas Ethics Commission before implementing the feature required by subsection (a) of this section to ensure that all required information is requested through the website.

(c) The provisions of this section are contingent on the availability of funding to carry out its purposes.

(d) This section expires on June 30, 2016."

The Amendment was read _____

By: Representative Della Rosa
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Chief Clerk