

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1012

5 By: Representatives Sabin, Tucker, V. Flowers, D. Ferguson, Leding, D. Whitaker  
6 By: Senators K. Ingram, Elliott, L. Chesterfield, U. Lindsey, Maloch, E. Cheatham, S. Flowers  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS CONCERNING POLITICAL  
10 ACTION COMMITTEE CONTRIBUTIONS; TO PROHIBIT DIRECT  
11 CONTRIBUTIONS FROM POLITICAL ACTION COMMITTEES TO  
12 CANDIDATES; TO AMEND ARTICLE 19, SECTION 28, OF THE  
13 ARKANSAS CONSTITUTION; TO AMEND PROVISIONS OF  
14 ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1990  
15 AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.  
16

## Subtitle

17  
18 TO AMEND PROVISIONS CONCERNING POLITICAL  
19 ACTION COMMITTEES; AND TO PROHIBIT DIRECT  
20 CONTRIBUTIONS FROM POLITICAL ACTION  
21 COMMITTEES TO CANDIDATES.  
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23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Constitution, Article 19, § 28 (a) and (b),  
28 concerning contributions, is amended to read as follows:

29 (a)(1) It is unlawful for a candidate for public office or a person  
30 acting on the candidate's behalf to:

31 (A) Accept a contribution from other than:

32 (i) An individual;

33 (ii) A political party that meets the definition of  
34 a political party under Arkansas Code § 7-1-101;

35 (iii) A political party that meets the requirements  
36 of Arkansas Code § 7-7-205;



- 1 (iv) A county political party committee; or
- 2 (v) A legislative caucus committee; ~~or~~
- 3 ~~(vi) An approved political action committee; or~~

4 (B) Accept a contribution in excess of the maximum amount  
5 allowed by law per election from:

- 6 (i) An individual;
- 7 (ii) A political party that meets the definition of
- 8 a political party under Arkansas Code § 7-1-101;
- 9 (iii) A political party that meets the requirements
- 10 of Arkansas Code § 7-7-205;

- 11 (iv) A county political party committee; or
- 12 (v) A legislative caucus committee; or
- 13 ~~(vi) An approved political action committee.~~

14 (C) Accept a contribution from an approved or prohibited  
15 political action committee.

16 (2) A candidate may accept a contribution or contributions up to  
17 the maximum amount allowed by law from a prospective contributor for each  
18 election, whether opposed or unopposed.

19 (b)(1) It is unlawful for an individual, a political party that meets  
20 the definition of a political party under Arkansas Code § 7-1-101, a  
21 political party that meets the requirements of Arkansas Code § 7-7-205, a  
22 county political party committee, a legislative caucus committee, or an  
23 approved political action committee to make a contribution to a candidate for  
24 public office, or to a person acting on the candidate's behalf, that in the  
25 aggregate exceeds the maximum amount allowed by law.

26 (2) The following entities may make a contribution or  
27 contributions up to the maximum amount allowed by law to a candidate, whether  
28 opposed or unopposed, for each election:

- 29 (A) An individual;
- 30 (B) A political party that meets the definition of a
- 31 political party under Arkansas Code § 7-1-101;
- 32 (C) A political party that meets the requirements of
- 33 Arkansas Code § 7-7-205;
- 34 (D) A county political party committee; or
- 35 (E) A legislative caucus committee; ~~or~~ .
- 36 ~~(F) An approved political action committee.~~

1 SECTION 2. Arkansas Constitution, Article 19, § 28 (c)(1)(A),  
2 concerning contributions, is amended to read as follows:

3 (1)(A) "Approved political action committee" means any person  
4 that:

5 (i) Receives contributions from one (1) or more  
6 persons in order to make contributions to a ~~candidate~~, ballot question  
7 committee, legislative question committee, political party, county political  
8 party committee, or other political action committee;

9 (ii) Does not accept any contribution or cumulative  
10 contributions in excess of five thousand dollars (\$5,000) from any person in  
11 any calendar year; and

12 (iii) Registers pursuant to Arkansas Code § 7-6-215  
13 prior to making contributions.

14  
15 SECTION 3. Arkansas Code § 7-6-201(1)(A), concerning campaign  
16 financing definitions and resulting from Initiated Act 1 of 1990 and  
17 Initiated Act 1 from 1996, is amended to read as follows:

18 (1)(A) "Approved political action committee" means any person  
19 that:

20 (i) Receives contributions from one (1) or more  
21 persons in order to make contributions to ~~candidates~~, ballot question  
22 committees, legislative question committees, political parties, county  
23 political party committees, or other political action committees;

24 (ii) Does not accept any contribution or cumulative  
25 contributions in excess of five thousand dollars (\$5,000) from any person in  
26 any calendar year; and

27 (iii) Registers pursuant to § 7-6-215 prior to  
28 making contributions.

29  
30 SECTION 4. Arkansas Code § 7-6-201(15)(A), concerning campaign  
31 financing contributions and resulting from Initiated Act 1 of 1990 and  
32 Initiated Act 1 from 1996, is amended to read as follows:

33 (15)(A) "Prohibited political action committee" means any person  
34 that receives contributions from one (1) or more persons in order to make  
35 contributions to ~~candidates~~, ballot question committees, legislative question  
36 committees, political parties, county political party committees, or other

1 political action committees but that does not meet the requirements of an  
2 approved political action committee.

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4 SECTION 5. Arkansas Code § 7-6-203(a)-(d), concerning contributions,  
5 limitations, acceptance or solicitation, use as personal income, and  
6 disposition and resulting from Initiated Act 1 of 1990 and Initiated Act 1  
7 from 1996, is amended to read as follows:

8 (a)(1)(A) It shall be unlawful for any candidate for any public office  
9 or for any person acting on the candidate's behalf to accept campaign  
10 contributions in excess of two thousand seven hundred dollars (\$2,700) per  
11 election from:

- 12 (i) An individual;  
13 (ii) A political party that meets the definition of  
14 a political party under § 7-1-101;  
15 (iii) A political party that meets the requirements  
16 of § 7-7-205;  
17 (iv) A county political party committee; or  
18 (v) A legislative caucus committee; ~~or~~ .  
19 ~~(vi) An approved political action committee.~~

20 (B) It shall be unlawful for a candidate for a public  
21 office or for any person acting on the candidate's behalf to accept a  
22 campaign contribution from a prospective contributor other than those under  
23 subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section.

24 (2) A candidate may accept a campaign contribution or  
25 contributions up to the maximum amount from any prospective contributor under  
26 subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section for each election, whether  
27 opposed or unopposed.

28 (b)(1) It shall be unlawful for any person permitted to make a  
29 contribution under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section to make  
30 a contribution to a candidate for any public office or to any person acting  
31 on the candidate's behalf, which in the aggregate exceeds two thousand seven  
32 hundred dollars (\$2,700) per election.

33 (2) A person permitted to make a contribution or contributions  
34 under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section may make a  
35 contribution or contributions up to the maximum amount to a candidate for  
36 each election, whether opposed or unopposed.

1 (c) The limitation shall not apply to loans made by a candidate from  
 2 his or her own personal funds to the campaign, contributions made by a  
 3 candidate from his or her personal funds to the campaign, or to personal  
 4 loans made by financial institutions to the candidate and applied to his or  
 5 her campaign.

6 (d)(1) It shall be unlawful for any candidate for any public office or  
 7 any person acting in the candidate's behalf to accept any contribution from  
 8 an approved political action committee or a prohibited political action  
 9 committee for any election.

10 (2) It shall be unlawful for any approved political action  
 11 committee or prohibited political action committee to make a contribution to  
 12 a candidate for public office in an election.

13 (3) It shall be unlawful for any ballot question committee,  
 14 legislative question committee, political party, county political party  
 15 committee, or approved political action committee to accept any contribution  
 16 from a prohibited political action committee.

17 (4) It shall be unlawful for any prohibited political action  
 18 committee to make a contribution to:

19 (A) A ballot question committee;

20 (B) A legislative question committee;

21 (C) A political party;

22 (D) A county political party committee; ~~or~~

23 (E) An approved political action committee; ~~or~~ ;

24 (F) A candidate for public office in an election.

25  
 26 SECTION 6. Arkansas Code § 7-6-215(a)(4)(A), concerning registration  
 27 and reporting by approved political action committees and resulting from  
 28 Initiated Act 1 of 1990 and Initiated Act 1 from 1996, is amended to read as  
 29 follows:

30 (4)(A) An out-of-state political action committee, including a  
 31 federal political action committee, shall be required to comply with the  
 32 registration and reporting provisions of this section if the committee  
 33 contributes more than five hundred dollars (\$500) in a calendar year to  
 34 ~~candidates,~~ ballot question committees, legislative question committees,  
 35 political parties, county political party committees, or other political  
 36 action committees within this state.