

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1893

5 By: Representative Della Rosa
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For An Act To Be Entitled

8 AN ACT TO AMEND CAMPAIGN FINANCE REPORTING
9 REQUIREMENTS FOR INDEPENDENT EXPENDITURES; TO AMEND
10 PORTIONS OF THE ARKANSAS CODE RESULTING FROM
11 INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND CAMPAIGN FINANCE REPORTING
15 REQUIREMENTS FOR INDEPENDENT
16 EXPENDITURES; AND TO AMEND PORTIONS OF
17 THE ARKANSAS CODE RESULTING FROM
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 7-6-220(a)-(d), concerning reporting of
25 independent expenditures and resulting from Initiated Act 1 of 1996, are
26 amended to read as follows:

27 (a) A person who or an independent expenditure committee which makes
28 independent expenditures in an aggregate amount or value in excess of five
29 hundred dollars (\$500) in a calendar year shall file the following reports
30 with the Secretary of State:

31 ~~(1) No later than thirty (30) days prior to preferential primary~~
32 ~~elections, general elections, and special elections covering the period~~
33 ~~ending thirty five (35) days prior to such elections;~~

34 ~~(2) No later than seven (7) days prior to preferential primary~~
35 ~~elections, runoff elections, general elections, and special elections~~
36 ~~covering the period ending ten (10) days prior to such elections; and~~



1 ~~(3) As for a final report, no later than thirty (30) days after~~
2 ~~the end of the month in which the last election is held at which the~~
3 ~~candidate seeks nomination or election.~~

4 (1)(A) A preelection report, to be filed no later than seven (7)
5 days before a preferential primary election, runoff election, general
6 election, or special election, in which the name of the candidate with
7 respect to whom the independent expenditure is made appears on the ballot.

8 (B) The preelection report shall include all contributions
9 received and expenditures made in connection with the independent expenditure
10 between the period covered by the previous report and the period ten (10)
11 days before the election.

12 (C) If the preelection report is filed for a runoff
13 election, the preelection report shall cover all contributions received and
14 expenditures made in furtherance of the independent expenditure during that
15 period of time that begins after the date of the election from which the
16 runoff arose and ends ten (10) days before the runoff election;

17 (2)(A) A monthly report to be filed within fifteen (15) calendar
18 days after the end of each calendar month.

19 (B) The monthly report shall contain all information
20 between the period covered by the initial registration or previous monthly
21 report and all contributions and expenditures made in connection with the
22 independent expenditure not previously reported.

23 (C)(i) The December monthly report shall indicate whether
24 or not the independent expenditure committee intends to renew its
25 registration for the next calendar year.

26 (ii) An independent expenditure committee indicating
27 that it will renew its registration for the next calendar year shall submit
28 its registration form for the next calendar year at the same time as the
29 December monthly report.

30 (iii) The Secretary of State shall not accept a
31 December monthly report if:

32 (a) The independent expenditure committee
33 indicates that it intends to renew its registration for the next calendar
34 year; and

35 (b) The registration form for the next
36 calendar year is not submitted at the same time as the December monthly

1 report.

2 (iv) If a December monthly report is filed in paper
 3 form, the form used by the Secretary of State for filing shall require the
 4 independent expenditure committee to indicate whether or not it intends to
 5 renew its registration for the next calendar year.

6 (v) The format used by the Secretary of State for
 7 the filing of independent expenditure committee reports in electronic form
 8 shall require an independent expenditure committee indicating that it intends
 9 to renew its registration for the next calendar year to renew its
 10 registration for the next calendar year before submitting its December
 11 monthly report; and

12 (3) A final report including all information to be filed within
 13 fifteen (15) calendar days of the date the independent expenditure committee
 14 ceases to exist.

15 (b) ~~Such reports~~ Each report shall include:

16 (1) In the case of an individual making ~~such~~ an expenditure, the
 17 name, address, telephone number, principal place of business, employer, and
 18 occupation of the individual;

19 (2) In the case of a committee making an expenditure, the name,
 20 address, employer, and occupation of its officers;

21 (3) In the case of a person who is not an individual making an
 22 expenditure, the principal name of the entity, the address, and the name,
 23 address, employer, and occupation of its officers; ~~and~~

24 (4) The same information required of candidates for state or
 25 district office ~~other than school district, township, municipal, or county~~
 26 ~~office~~ as set forth in § 7-6-207(b)(1);

27 (A) The total amount of contributions received with loans
 28 stated separately, the total amount of expenditures made in connection with
 29 an independent expenditure during the filing periods, and the cumulative
 30 amount of those totals for the entire election cycle;

31 (B) The name and address of each person who made a
 32 contribution or contributions that in the aggregate exceeded fifty dollars
 33 (\$50);

34 (C) The contributor's principal place of business,
 35 employer, occupation, the amount contributed, the date the contribution was
 36 accepted, and the aggregate contributed for each election;

1 (D) The name and address of each person who contributed a
 2 nonmoney item, together with a description of the item, the date of receipt,
 3 and the value, not including volunteer service by individuals;

4 (E) A list of all independent expenditures by category,
 5 including without limitation the:

6 (i) Amount of the independent expenditure;

7 (ii) Name and address of any person to whom the
 8 independent expenditure was made; and

9 (iii) Date the independent expenditure was made;

10 (F) A list of all independent expenditures by categories,
 11 including without limitation:

12 (i) Television, radio, print, or other advertising;
 13 and

14 (ii) Direct mail;

15 (G) The total amount of all nonitemized independent
 16 expenditures made during the filing period; and

17 (H) The current balance of funds available for independent
 18 expenditures; and

19 (5) For each independent expenditure reported, the report shall
 20 include:

21 (A) The candidate the independent expenditure relates to;

22 (B) If the independent expenditure was in favor of or
 23 against the candidate; and

24 (C) If the independent expenditure was for advertising,
 25 the specific form or method of advertisement.

26 (c) The information required in ~~§ 7-6-207(b)(1)~~ subsection (b) of this
 27 section may be provided in the form of a schedule or schedules attached to
 28 the ~~report~~ reports.

29 (d) The ~~report~~ reports shall be verified by an affidavit of an officer
 30 of the independent expenditure committee stating that to the best of his or
 31 her knowledge and belief:

32 (1) ~~the~~ The information disclosed is a complete, true, and
 33 accurate financial statement of the independent expenditure committee's
 34 contributions received and made-; and

35 (2) The independent expenditure committee has complied with all
 36 requirements and restrictions found in § 7-1-103(a)(7) and § 7-6-228(c)(2).