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Agency # 153.00

**MARK-UP**

# **RULES ON INDEPENDENT EXPENDITURES**

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**§ 700 Definitions.**

**(a) Contribution** – As used in these rules, the term “contribution” means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, pledge or promise of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate.

“Contribution” includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the granting of discounts or rebates by television stations, radio stations, and newspapers not extended on an equal basis to all candidates for the same office; and any payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee or persons whose expenditures the candidates or committee must report under these rules. The term “contribution” further includes any transfer of anything of value received by a committee from another committee. “Contribution” shall not include noncompensated, nonreimbursed, volunteer personal services or travel.

“Contribution and expenditure” shall not include activity sponsored and funded by a political party that meets the definition of “political party” under Ark. Code Ann. § 7-1-101 or the requirements of Ark. Code Ann. § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings and shall not include nonpartisan activity designed to encourage individuals to register to vote or to vote or any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate.

**(b) Expenditure** – As used in these rules, the term “expenditure” means a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure, made for the purpose of influencing the nomination or election of any candidate.

“Contribution and expenditure” shall not include activity sponsored and funded by a political party that meets the definition of “political party” under Ark. Code Ann. § 7-1-101 or the requirements of Ark. Code Ann. § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings and shall not include nonpartisan activity designed to encourage individuals to register to vote or to vote or any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate.

**(c) Independent Expenditure** – As used in these rules, the term “independent expenditure” means any expenditure which is not a contribution and expressly advocates the election or defeat of a clearly identified candidate for office; is made without arrangement, cooperation, or consultation between any candidate or any authorized

committee or agent of the candidate and the person making the expenditure or any authorized agent of that person; and is not made in concert with or at the request or suggestion of any candidate or any authorized committee or agent of the candidate.

**(d) Independent Expenditure Committee** – As used in these rules, the term “independent expenditure committee” means any person who receives contributions from one (1) or more persons in order to make an independent expenditure and is registered pursuant to Ark. Code Ann. § 7-6-227 prior to making expenditures.

**(e) Person** – As used in these rules, the term “person” means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert. It shall also include a political party that meets the definition of a political party under Ark. Code Ann. § 7-1-101 or a political party that meets the requirements of Ark. Code Ann. § 7-7-205, county political party committees, and legislative caucus committees.

**(f) Printed Campaign Materials** –

**(1)** “Printed campaign materials” means:

**(A)** Literature mailed to an elector that is intended to or calculated to influence the vote of an elector in an election in this state, including without limitation signs, banners, flyers, and pamphlets; and

**(B)** Yard signs and push cards intended to or calculated to influence the vote of an elector in an election in this state.

**(2)** “Printed campaign materials” does not mean political paraphernalia, including without limitation stickers, buttons, pens, T-shirts, or other similar trinkets.

**§ 701 Registration by Independent Expenditure Committees**

**(a)(1)(A)** To qualify as an independent expenditure committee, the committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions during a calendar year that exceed five hundred dollars (\$500) in the aggregate.

**(B)** Registration shall be annually renewed by January 15, unless the committee has ceased to exist.

**(C)** Registration shall be on forms provided by the Secretary of State, and the contents therein shall be verified by an affidavit of an officer of the committee.

**(2)(A)** The committee shall designate a resident agent who shall be an individual who resides in the State of Arkansas.

(B) No contribution shall be accepted from a committee and no expenditure shall be made by a committee that has not registered and does not have a resident agent.

(3) An out-of-state committee shall be required to comply with the registration and reporting provisions of these rules if the committee makes an independent expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than five hundred dollars (\$500) during a calendar year.

(b) The registration form of an independent expenditure committee shall contain the following information:

(1) The name, address, and, where available, phone number of the committee and the name, address, phone number, and place of employment of each of its officers, provided if the committee's name is an acronym, then both it and the words forming the acronym shall be disclosed;

(2) The full name and street address, city, state, and zip code of each financial institution the committee uses for purposes of receiving contributions or making expenditures within the State of Arkansas;

(3) A written acceptance of designation as a resident agent;

(4) A certification by a committee officer, under penalty of false swearing, that the information provided on the registration is true and correct; and

(5) A clause submitting the committee to the jurisdiction of the State of Arkansas for all purposes related to compliance with the provisions of subchapter 2 of chapter 6, Title 7 of the Arkansas Code.

(c)(1) When a committee makes a change to any of the information required in § 701(b) of these rules, an amendment is required to be filed within ten (10) days to reflect the change.

(2) A committee failing to file an amendment shall be subject to a late filing fee of ten dollars (\$10.00) for each day the change is not filed.

## **§ 702 Reporting of Independent Expenditures**

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

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

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

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

(b) Such reports shall include:

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

(2) In the case of a committee, the name, address, employer, and occupation of its officers;

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

(4) The total amount of contributions received, with loans stated separately, and the total amount of expenditures made during the filing periods, and the cumulative amount of those totals;

(5) The name and address of each person who made a contribution or contributions that in the aggregate exceeded fifty dollars (\$50.00);

(6) The contributor's principal place of business, employer, occupation, the amount contributed, the date the contribution was accepted by the committee, and the aggregate contributed for each election;

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

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

(9) A list of all paid workers and the amount the workers were paid;

(10) A list of all expenditures by categories, including, but not limited to:

(A) Television, radio, print, and other advertising;

- (B) Direct mail;
- (C) Office supplies;
- (D) Rent;
- (E) Travel;
- (F) Expenses;
- (G) Entertainment; and
- (H) Telephone.

(11) The total amount of all nonitemized expenditures made during the filing period; and

(12) The current balance of committee funds.

(c) The information required in § 702(b)(4)-(10) of these rules may be provided in the form of schedules attached to the report.

(d) The report shall be verified by an affidavit of an officer of the committee stating that to the best of his or her knowledge and belief the information disclosed is a complete, true, and accurate financial statement of the committee's contributions received and made.

(e)(1) A report is timely filed if it is filed in electronic form through the official website of the Secretary of State on or before the date that the report is due.

(2)(A) The Secretary of State shall receive reports in a readable electronic format that is acceptable to the Secretary of State and approved by the Arkansas Ethics Commission.

(B) The Arkansas Ethics Commission shall approve the format used by the Secretary of State for the filing of independent expenditure reports in electronic form to ensure that all required information is requested.

(C) The official website of the Secretary of State shall allow for searches of independent expenditure report information filed in electronic form.

~~(3) A person or independent expenditure committee under this section may file reports in paper form under this section if:~~

~~(A) The person or independent expenditure committee 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 person or independent expenditure.~~

~~(4) A report submitted in paper form in accordance with §702(e)(3) is timely filed if it is delivered by hand or mailed to the Secretary of State, properly addressed,~~

~~postage prepaid, and bearing a postmark indicating that it was received by the post office or common carrier on or before the date that the report is due.~~

(3)(A) A person required to file reports or register in paper form under Ark. Code Ann. § 7-6-220 may file reports or register in paper form if:

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

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

(B) A person filing reports or registration in paper form under subdivision (e)(3)(A) of this rule shall submit with its first report or registration a notarized affidavit on a form prepared by the Secretary of State declaring that:

(i) The person does not have access to the technology necessary to submit reports or registration in electronic form;

(ii) Submitting reports or registration in electronic form would constitute a substantial hardship for the person; and

(iii) The person agrees to file all other reports in paper form for the duration of the period of registration.

(4) The Secretary of State shall:

(A) Not accept a report or registration in paper form under subdivision (e)(3)(A) of this rule if a notarized affidavit was not submitted with the:

(i) Registration of a political action committee; or

(ii) First report of a person or independent expenditure committee;

(B) Provide written notice to the political action committee within five (5) business days if the registration in paper form was not filed or accepted;

(C) Provide written notice to a political action committee, person, or independent expenditure committee within five (5) business days if a report in paper form was not filed or accepted; and

(D) Provide the reason the registration or report in paper form was not filed or accepted.



(5) The Secretary of State shall make available to persons wishing to file reports in paper form under Ark. Code Ann. § 7-6-231:

(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 under Ark. Code Ann. § 7-6-231 to ensure that all required information is requested.

(6) 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.

(7)(A) A report submitted in paper form under Ark. Code Ann. § 7-6-231 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 or before the date that the report is due.

(B) A preelection report submitted in paper form under Ark. Code Ann. § 7-6-231 is timely filed if it is received by the Secretary of State no later than seven (7) days before the election for which it is filed.

(C) 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.

(8)(A) The Secretary of State shall make available reports submitted in paper form on a portion of the official website of the Secretary of State.

(B) The Secretary of State shall comply with the requirements of Ark. Code Ann. § 7-6-214(c) regarding the "paper filer" designation and publication requirements for all reports submitted in paper form.

### **§ 703 Out-of-State Independent Expenditure Committees**

An out-of-state independent expenditure committee is required to comply with the registration and reporting provisions of §§ 701-702 and is subject to the jurisdiction of the State of Arkansas for all purposes related to compliance with the provisions of subchapter 2 of chapter 6, Title 7 of the Arkansas Code, if the committee makes an independent

expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than five hundred dollars (\$500) during a calendar year.

#### § 704 Paid For By Disclaimer

(a) All articles, statements, or communications appearing in any newspaper printed or circulated in this state intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "paid Political Advertisement", "Paid Political Ad", or "Paid for by" the candidate, committee, or person who paid for the message. Both the persons placing and the persons publishing the articles, statements, or communications shall be responsible for including the required disclaimer. In addition, all articles, statements, or communications appearing in any radio, television, or any other electronic medium intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "Paid Political Advertisement" or "Paid Political Ad" or "Paid for by", "Sponsored by", or "Furnished by" the true sponsor of the advertisement. Both the persons placing and the persons publishing the articles, statements, or communications shall be responsible for including the required disclaimer.

(b)(1) Printed campaign materials as defined in § 700(f) of these rules, shall clearly contain the words "Paid for by" followed by the name of the candidate, committee, or person who paid for the campaign sign, campaign literature, or other printed campaign materials.

(2) Subdivision (b)(1) of this section applies only to campaign signs, campaign literature, and other printed campaign materials created by or sponsored by a political candidate, the campaign of a political candidate, a political action committee, or an independent expenditure committee.

#### § 7045 Penalties

If the Arkansas Ethics Commission finds that a person or an independent expenditure committee has committed a violation of Ark. Code Ann. § 7-6-220 and/or Ark. Code Ann. § 7-6-227, then it may impose a fine of not less than fifty dollars (\$50.00) and not more than ~~two thousand dollars (\$2,000)~~ three thousand, five hundred dollars (\$3,500.00) and/or issue a public letter of caution, warning, or reprimand. In addition, a committee failing to file an amendment within ten (10) days as required by § 701(c) shall be subject to a late filing fee of ten dollars (\$10.00) for each day the change is not filed.

#### § 7056 Records Retention

(a) An independent expenditure committee required to comply with the registration requirements of § 701 shall maintain for a period of four (4) years records evidencing the

name, address, and place of employment of each person that contributed to the independent expenditure committee, along with the amount contributed. Such a committee shall also maintain for a period of four (4) years records evidencing each independent expenditure made by the committee, along with the amount of each expenditure.

(b) A person required to comply with the reporting requirements of § 702 shall maintain for a period of four (4) years records evidencing each independent expenditure made by the person, along with the amount of each expenditure.

### **§ 7067 Administrative Expenses of Independent Expenditure Committees**

It is permissible for an independent expenditure committee to pay reasonable administrative expenses out of the contributions it has received.

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

As Engrossed: H2/21/19

# A Bill

SENATE BILL 249

5 By: Senators J. Hendren, K. Ingram  
6 By: Representative Richmond  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING PENALTIES FOR  
10 ETHICS VIOLATIONS; TO RAISE THE AMOUNT OF FINES THAT  
11 MAY BE LEVIED BY THE ARKANSAS ETHICS COMMISSION; AND  
12 FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 TO AMEND THE LAW CONCERNING PENALTIES FOR  
16 ETHICS VIOLATIONS; AND TO RAISE THE  
17 AMOUNT OF FINES THAT MAY BE LEVIED BY THE  
18 ARKANSAS ETHICS COMMISSION.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 7-6-218(b)(4)(B)(i), concerning the  
25 authorized fines for violations concerning ethics, is amended to read as  
26 follows:

27 (B)(i) Notwithstanding the provisions of §§ 7-6-202, 7-9-  
28 409, 21-8-403, and 21-8-903, impose a fine of not less than fifty dollars  
29 (\$50.00) nor more than ~~two~~ three thousand five hundred dollars ~~(\$2,000)~~  
30 (\$3,500) for negligent or intentional violation of this subchapter; the  
31 Disclosure Act for Public Initiatives, Referenda, and Measures Referred to  
32 Voters, § 7-9-401 et seq.; § 21-8-301 et seq.; the Disclosure Act for  
33 Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et  
34 seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq.; § 21-8-  
35 1001 et seq.; or Arkansas Constitution, Article 19, §§ 28-30.  
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*/s/J. Hendren*

**APPROVED: 3/7/19**

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

# A Bill

HOUSE BILL 1698

5 By: Representative Della Rosa  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE FILING AND  
9 PUBLICATION OF CERTAIN CAMPAIGN FINANCE REPORTS; TO  
10 PROVIDE NOTICE WHEN CAMPAIGN FINANCE PAPER REPORTS  
11 ARE NOT ACCEPTED FOR FILING; TO REQUIRE AFFIDAVITS  
12 FOR PAPER FILING; TO AMEND PORTIONS OF ARKANSAS CODE  
13 RESULTING FROM INITIATED ACT 1 OF 1990 AND INITIATED  
14 ACT 1 OF 1996; AND FOR OTHER PURPOSES.  
15

## Subtitle

16  
17  
18 TO AMEND THE LAW CONCERNING THE FILING  
19 AND PUBLICATION OF CERTAIN CAMPAIGN  
20 FINANCE REPORTS; AND TO AMEND PORTIONS OF  
21 ARKANSAS CODE RESULTING FROM INITIATED  
22 ACT 1 OF 1990 AND INITIATED ACT 1 OF  
23 1996.  
24

25  
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
27

28 SECTION 1. Arkansas Code § 7-6-214, concerning publication of reports,  
29 is amended to add an additional subsection to read as follows:

30 (c)(1) The Secretary of State shall maintain a list of all reports  
31 required under §§ 7-6-203, 7-6-207 – 7-6-210, 7-6-215, 7-6-216, and 7-6-220  
32 not filed in electronic form.

33 (2) The list shall include:

34 (A) The name of the person filing the report;

35 (B) The type of report filed;

36 (C) The date the report was filed; and



1                   (D) The designation "paper filer".

2                   (3) The list shall be posted on the official website of the  
 3 Secretary of State.

4                   (4) The list shall be organized by calendar year and updated at  
 5 least monthly on a schedule to be determined by the Secretary of State.

6  
 7           SECTION 2. Arkansas Code § 7-6-215(a)(1), concerning registration and  
 8 reporting by approved political action committees and resulting from  
 9 Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to add an  
 10 additional subdivision to read as follows:

11                   (E) Registration with the Secretary of State under this  
 12 section may be filed in paper form if:

13                               (i) The political action committee does not have  
 14 access to the technology necessary to submit registration in electronic form;

15                               (ii) Submitting registration in electronic form  
 16 would constitute a substantial hardship for the political action committee;  
 17 and

18                               (iii) The political action committee submits a  
 19 notarized affidavit that complies with § 7-6-231.

20  
 21           SECTION 3. Arkansas Code § 7-6-215(d)(5)(B)(iv), concerning  
 22 registration and reporting by approved political action committees and  
 23 resulting from Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is  
 24 amended to read as follows:

25                               (iv) A political action committee under this section  
 26 may file reports in paper form under this section if:

27                                       (a) The political action committee does not  
 28 have access to the technology necessary to submit reports in electronic form;  
 29 and

30                                       (b) Submitting reports in electronic form  
 31 would constitute a substantial hardship for the political action committee;  
 32 and

33                                       (c) The political action committee submits a  
 34 notarized affidavit that complies with § 7-6-231.

35  
 36           SECTION 4. Arkansas Code § 7-6-220(e)(3), concerning reporting of

1 independent expenditures and resulting from Initiated Act 1 of 1996, is  
2 amended to read as follows:

3 (3) A person or independent expenditure committee under this  
4 section may file reports in paper form under this section if:

5 (A) The person or independent expenditure committee does  
6 not have access to the technology necessary to submit reports in electronic  
7 form; ~~and~~

8 (B) Submitting reports in electronic form would constitute  
9 a substantial hardship for the person or independent expenditure committee;  
10 and

11 (C) The person or independent expenditure committee  
12 submits a notarized affidavit that complies with § 7-6-231.

13  
14 SECTION 4. Arkansas Code § 7-6-230(a)(2)(B), concerning the  
15 alternative to electronic filing of reports, is amended to read as follows:

16 (B) The Secretary of State shall:

17 (1) ~~not~~ Not accept a report in paper form under  
18 subdivision (a)(1) of this section if a notarized affidavit was not submitted  
19 with the first paper report in the election cycle;

20 (2) Provide written notice to the candidate within  
21 five (5) business days if the report in paper form was not filed or accepted;  
22 and

23 (3) Provide the reason the report in paper form was  
24 not filed or accepted.

25  
26 SECTION 5. Arkansas Code § 7-6-230(d), concerning the alternative to  
27 electronic filing of reports, is amended to read as follows:

28 (d)(1) The Secretary of State shall make available campaign  
29 contribution and expenditure reports submitted in paper form, carryover fund  
30 reports submitted in paper form, and affidavits accompanying reports filed in  
31 paper form, on a portion of the official website of the Secretary of State.

32 (2) The Secretary of State shall comply with the requirements of  
33 § 7-6-214(c) regarding the "paper filer" designation and publication  
34 requirements for all reports submitted in paper form.

35  
36 SECTION 6. Arkansas Code Title 7, Chapter 6, Subchapter 2, is amended



1 to add an additional section to read as follows:

2 7-6-231. Alternative to electronic filing - Reporting of independent  
 3 expenditures - Registration and reports for political action committees.

4 (a)(1) A person required to file reports or register in electronic  
 5 form under § 7-6-215 or § 7-6-220 may file reports or register in paper form  
 6 under this section if:

7 (A) The person does not have access to the technology  
 8 necessary to submit reports or registration in electronic form; and

9 (B) Submitting reports or registration in electronic form  
 10 would constitute a substantial hardship for the person.

11 (2)(A) A person filing reports or registration in paper form  
 12 under subdivision (a)(1) of this section shall submit with its first report  
 13 or registration a notarized affidavit on a form prepared by the Secretary of  
 14 State declaring that:

15 (i) The person does not have access to the  
 16 technology necessary to submit reports or registration in electronic form;

17 (ii) Submitting reports or registration in  
 18 electronic form would constitute a substantial hardship for the person; and

19 (iii) The person agrees to file all other reports in  
 20 paper form for the duration of the period of registration.

21 (B) The Secretary of State shall:

22 (i) Not accept a report or registration in paper form  
 23 under subdivision (a)(1) of this section if a notarized affidavit was not  
 24 submitted with the:

25 (a) Registration of a political action  
 26 committee; or

27 (b) First report of a person or independent  
 28 expenditure committee;

29 (ii) Provide written notice to the political action  
 30 committee within five (5) business days if the registration in paper form was  
 31 not filed or accepted;

32 (iii) Provide written notice to a political action  
 33 committee, person, or independent expenditure committee within five (5)  
 34 business days if a report in paper form was not filed or accepted; and

35 (iv) Provide the reason the registration or report  
 36 in paper form was not filed or accepted.

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

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

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

7                           (ii) The Arkansas Ethics Commission shall approve  
8 the forms and instructions used by the Secretary of State under this section  
9 to ensure that all required information is requested.

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

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

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

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

26                   (d)(1) The Secretary of State shall make available reports submitted  
27 in paper form on a portion of the official website of the Secretary of State.

28                   (2) The Secretary of State shall comply with the requirements of  
29 § 7-6-214(c) regarding the "paper filer" designation and publication  
30 requirements for all reports submitted in paper form.

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33                                   APPROVED: 4/16/19  
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1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1878

5 By: Representative Della Rosa  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING CERTAIN CAMPAIGN  
9 SIGNS AND LITERATURE; TO REQUIRE TRANSPARENCY BY  
10 POLITICAL ACTION COMMITTEES AND INDEPENDENT  
11 EXPENDITURE COMMITTEES; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 TO AMEND THE LAW CONCERNING CERTAIN  
15 CAMPAIGN SIGNS AND LITERATURE; AND TO  
16 REQUIRE TRANSPARENCY BY POLITICAL ACTION  
17 COMMITTEES AND INDEPENDENT EXPENDITURE  
18 COMMITTEES.  
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20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 7-6-228(c)(2), concerning placement of the  
25 words "Paid for by" on campaign signs, campaign literature, and other printed  
26 campaign materials, is amended to read as follows:

27 (2) Subdivision (c)(1) of this section applies only to campaign  
28 signs, campaign literature, and other printed campaign materials created by  
29 or sponsored by a political candidate ~~or~~ the campaign of a political  
30 candidate, a political action committee, or an independent expenditure  
31 committee.  
32  
33

34 APPROVED: 4/16/19  
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36

