

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1204 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/26/09

A Bill

SENATE BILL 441

5 By: Senator G. Baker
6
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For An Act To Be Entitled

8
9 *AN ACT TO REQUIRE THAT A CANDIDATE FOR ELECTED*
10 *OFFICE INCLUDE IN HIS OR HER REPORT OF CAMPAIGN*
11 *CONTRIBUTIONS A SEPARATE STATEMENT REGARDING*
12 *LOANS RECEIVED BY THE CAMPAIGN; TO REQUIRE THAT A*
13 *CANDIDATE FOR ELECTED OFFICE REPORT ALL PERSONAL*
14 *LOANS MADE BY THE CANDIDATE TO HIS OR HER*
15 *CAMPAIGN; TO AMEND A PORTION OF THE ARKANSAS CODE*
16 *THAT RESULTED FROM INITIATED ACT 1 OF 1990; TO*
17 *AMEND A PORTION OF THE ARKANSAS CODE THAT*
18 *RESULTED FROM INITIATED ACT 1 OF 1996; AND FOR*
19 *OTHER PURPOSES.*

Subtitle

20
21
22 AN ACT TO REQUIRE THAT A CANDIDATE FOR
23 ELECTED OFFICE PROVIDE A SPECIFIC
24 STATEMENT REGARDING LOANS MADE TO THE
25 CANDIDATE'S CAMPAIGN, INCLUDING LOANS
26 FROM THE CANDIDATE'S PERSONAL FUNDS.
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28

29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
30

31 *SECTION 1. Arkansas Code § 7-6-201(17), resulting from Initiated Act 1*
32 *of 1990 and Initiated Act 1 of 1996, concerning the definition of surplus*
33 *campaign funds, is amended to read as follows:*

34 *(17) "Surplus campaign funds" means any balance of campaign funds over*
35 *expenses incurred as of the day of the election except for:*



1 (A) Carryover funds; and

2 (B) Any funds required to ~~reimburse~~ repay loans made by
3 ~~the candidate for~~ from his or her personal funds ~~contributed~~ to the campaign
4 or to repay loans made by financial institutions to the candidate and applied
5 to the campaign.

6
7 SECTION 2. Arkansas Code § 7-6-203(c), resulting from Initiated Act 1
8 of 1990 and Initiated Act 1 of 1996, concerning the limitations on campaign
9 contributions not applying to the candidate's own contributions to his or her
10 campaign, is amended to read as follows:

11 (c) The limitation shall not apply to ~~a candidate's own contribution~~
12 loans made by a candidate from his or her own personal funds to the campaign,
13 contributions made by a candidate from his or her personal funds to the
14 campaign, or to personal loans made by financial institutions to the
15 candidate and applied to his or her campaign.

16
17 SECTION 3. Arkansas Code § 7-6-207(b)(1)(A), resulting from Initiated
18 Act 1 of 1990 and Initiated Act 1 of 1996, concerning the
19 requirement to list the amount of contributions received and expenditures
20 made during the filing periods for candidates for office other than school
21 district, township, municipal, or county office, is amended to read as
22 follows:

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

26
27 SECTION 4. Arkansas Code § 7-6-208(b)(1)(A), resulting from Initiated
28 Act 1 of 1996, concerning the requirement to list the amount of contributions
29 received and expenditures made during the filing periods for candidates for
30 school district, township, or municipal office, is amended to read as
31 follows:

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

35
36 SECTION 5. Arkansas Code § 7-6-209(b)(1)(A), resulting from Initiated

1 Act 1 of 1996, concerning the requirement to list the amount of contributions
2 received and expenditures made during the filing periods for candidates for
3 county office, is amended to read as follows:

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

7
8 SECTION 6. Arkansas Code § 7-6-210 is amended to read as follows:

9 7-6-210. Reports of contributions – Personal loans.

10 (a)(1) The transfer of a candidate’s own personal funds to his or her
11 campaign shall be reported as either a loan from the candidate to his or her
12 campaign or a contribution from the candidate to his or her campaign.

13 (2) In the event the transfer of such funds is reported as a loan
14 from the candidate to his or her campaign, the campaign funds may be used to
15 repay the candidate for the funds loaned by the candidate to his or her
16 campaign.

17 (3) In the event the transfer of the funds is reported as a
18 contribution from the candidate to his or her campaign, the campaign funds
19 may not be used to reimburse the candidate for the funds contributed by the
20 candidate to his or her campaign.

21 (b)(1) Any A personal loan made to a candidate by a financial
22 institution ~~which~~ that is applied toward a candidate’s campaign shall be
23 reported as a ~~campaign contribution, as required by this subchapter~~ loan from
24 the candidate to his or her campaign.

25 ~~(b)(2)~~ The name of the financial institution, the amount of the loan,
26 and the name of the guarantor, if any, also shall be reported.

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30 /s/ G. Baker

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32 **APPROVED: 4/7/2009**