

Hall of the House of Representatives
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of House Bill No. 2727

"AN ACT TO REVISE PORTIONS OF ARKANSAS CODE CONCERNING ETHICS AND
CONCERNING CAMPAIGN CONTRIBUTIONS AND GIFTS."

Amendment No. 1 to House Bill No. 2727.

Amend House Bill No. 2727 as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 7-6-203(a) and (b), concerning campaign contribution limitations and created by Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as follows:

7-6-203. Contributions - Limitations - Acceptance or solicitation - Use as personal income - Disposition.

(a)(1)(A) It shall be unlawful for any candidate for any public office, except the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or for any person acting on the candidate's behalf to accept campaign contributions in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election from any person.

(B) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election, whether opposed or unopposed.

(2)(A) It shall be unlawful for any candidate for the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or for any person acting on the candidate's behalf to accept campaign contributions in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election from any person.

(B) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election, whether opposed or unopposed.

(b)(1)(A) It shall be unlawful for any person to make a contribution to a candidate for any public office, except the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or to any person acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

(B) A person may make a contribution or contributions up to the maximum amount to a candidate for each election, whether opposed or



unopposed.

(2)(A) It shall be unlawful for any person to make a contribution to a candidate for the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or to any person acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

(B) A person may make a contribution or contributions up to the maximum amount to a candidate for each election, whether opposed or unopposed.

SECTION 2. Arkansas Code § 7-6-203(g), concerning the use of campaign funds as personal income and created by Initiated Act 1 of 1996, is amended to read as follows:

(g)(1) A candidate shall not take any campaign funds as personal income. This subdivision (g)(1) shall not apply to campaign funds that were:

(A) Accumulated prior to the passage of Initiated Act 1 of 1990; or

(B) Disposed of prior to July 28, 1995.

(2) A candidate shall not take any campaign funds as income for his or her spouse or dependent children, except that:

(A) This subsection shall not prohibit a candidate who has an opponent from employing his or her spouse or dependent children as campaign workers; and except that

(B) Any candidate who has an opponent and who, during the campaign and before the election, takes a leave of absence without pay from his or her primary place of employment shall be authorized to take campaign funds during the campaign and before the election as personal income up to the amount of employment income lost as a result of such leave of absence.

(3) A candidate who takes campaign funds during the campaign and before the election under a leave of absence pursuant to the provisions of subdivision (g)(2) of this section may elect to treat the campaign funds as a loan from the campaign fund to the candidate to be paid back to the campaign fund by the candidate.

(4)(A) For purposes of this subsection, a candidate who uses campaign funds to fulfill any commitment, obligation, or expense that would exist regardless of the candidate's campaign shall be deemed to have taken campaign funds as personal income.

(B) The use of campaign funds to purchase a cake or other perishable item of food at a fund-raising event held by a volunteer agency, as defined in § 16-6-103, shall not be considered a taking of campaign funds as personal income.

(C)(i) The use of campaign funds by a candidate to make a contribution to another candidate's campaign shall not be considered a taking of campaign funds as personal income.

(ii) A contribution made under subdivision (g)(4)(C)(i) of this section shall not exceed two hundred fifty dollars (\$250) per election.

(iii) A contribution under subdivision (g)(4)(C)(i) of this section shall not count toward the campaign contribution limitations established under subsections (a) and (b) of this section.

SECTION 3. Arkansas Code § 21-8-402(5)(B)(xii), concerning certain exceptions to the definition of "gift" and resulting from Initiated Act 1 of 1988, is amended to read as follows:

(xii) An item which appointed or elected members of a specific governmental body or employees of an appointed or elected governmental official purchase with their own personal funds and present to a fellow member of that governmental body or official in recognition of public service;

SECTION 4. Arkansas Code § 21-8-801(a)(1), concerning prohibited acts of public servants and resulting from Initiated Act 1 of 1988, is amended to read as follows:

(1) Receive a gift or compensation as defined in § 21-8-401 et seq., other than income and benefits from the governmental body to which he or she is duly entitled, ~~for the performance of the duties and responsibilities of his or her office or position~~ when the gift or compensation is given as a result of:

(A) The public servant's office or position; or

(B) A business relationship developed as a result of the public servant's office or position; or"

The Amendment was read _____

By: Representative Petrus

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Chief Clerk