

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1256

By: Representatives Cabe, Flanagin, Clark and Easley

"AN ACT TO AMEND THE CAMPAIGN FINANCING LAW TO MAKE TECHNICAL CORRECTIONS, AND TO CLARIFY THE REPORTING REQUIREMENTS; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (A) of Section 2 of Act 788 of 1975, as amended, the same being Arkansas Statute 3-1109(A), is hereby amended to read as follows:

"A. 'Person' shall mean 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 organized political parties as defined in Section 1(a) of Article 1 of Act 465 of 1969, as amended, Arkansas Statutes 3-101(a)."

SECTION 2. Section 3 of Act 788 of 1975, as amended, the same being Arkansas Statute 3-1111, is hereby amended to read as follows:

"Section 3. (a) Except as provided in paragraphs (g) and (h) of this Section, each candidate for office other than a school district, township, municipal, or county office, or a person acting in the candidate's behalf shall:

(1) no later than twenty-five days before preferential primary elections, general elections, and special elections file a pre-election report of all contributions received no later than thirty days prior to the election;

(2) no later than seven days prior to preferential primary elections, runoff elections, general elections, and special elections file a pre-election report of all contributions received after the date of pre-

paration of the pre-election report required by paragraph (a) (1) of this section, but received no later than ten days before the election;

(3) no later than thirty days after preferential primary elections, runoff elections, general elections, and special elections, file a final report of all contributions received no earlier than nine days prior to the election; and

(4) file supplemental reports of all contributions received after the date of preparation of the final report and the supplemental reports shall be filed within thirty days after receipt of the contributions.

(b) The campaign contribution reports required by paragraph (a) of this Section shall indicate the total amount of contributions received during the filing periods, and the name and address of each person, including the candidate, who has made a contribution which in the aggregate exceeds two hundred fifty dollars, the contributor's principal place of business, employer, occupation, and the amount contributed. The reports shall be filed with the Secretary of State and the county clerk in the county in which the candidate resides. The Secretary of State shall notify each candidate by mail post-marked at least fourteen days prior to the deadline for filing the pre-election contribution reports and the final contribution reports and at that time furnish each candidate with the appropriate forms and instructions for complying with the deadlines. The final report notice shall also inform the candidates of the deadline for filing supplemental contribution reports and supplemental expenditure reports and shall include the forms and instructions for those reports.

(c) Except as provided in paragraphs (g) and (h) of this Section, each candidate for school district, township, or municipal office or a person acting in the candidate's behalf shall:

(1) no later than seven days prior to preferential primary elections, runoff elections, general elections, school elections, and special elections file a pre-election report of all contributions received no later than ten days before the election;

(2) no later than thirty days after preferential primary elections, runoff elections, general elections, school elections, and special elections, file a final report of all contributions received no earlier than nine days prior to the election; and

(3) file supplemental reports of all contributions received after

the date of preparation of the final report and the supplemental reports shall be filed within thirty days after receipt of the contributions.

(d) The campaign contribution reports required by paragraph (c) of this section shall indicate the total amount of contributions received during the filing periods, and the name and address of each person, including the candidate, who has made a contribution which in the aggregate exceeds one hundred dollars, the contributor's principal place of business, employer, occupation, and the amount contributed. The reports shall be filed with the county clerk in the county in which the election is held. The county clerk shall notify each candidate by mail postmarked at least fourteen days prior to the deadline for filing the pre-election contribution reports and the final contribution reports and at that time furnish each candidate with the appropriate forms and instructions for complying with the deadlines. The final report notice shall also inform the candidates of the deadline for filing supplemental contribution reports and supplemental expenditure reports and shall include the forms and instructions for those reports.

(e) Except as provided in paragraphs (g) and (h) of this Section, each candidate for county office or a person acting in the candidate's behalf shall:

(1) no later than seven days prior to preferential primary elections, runoff elections, general elections, and special elections file a pre-election report of all contributions received no later than ten days before the election;

(2) no later than thirty days after preferential primary elections, runoff elections, general elections, and special elections, file a final report of all contributions received no earlier than nine days prior to the election; and

(3) file supplemental reports of all contributions received after the date of preparation of the final report and the supplemental reports shall be filed within thirty days after receipt of the contributions.

(f) The campaign contribution reports required by paragraph (e) of this section shall indicate the total amount of contributions received during the filing periods, and the name and address of each person, including the candidate, who has made a contribution which in the aggregate exceeds two hundred fifty dollars, the contributor's principal place of business, employer, occupation, and the amount contributed. The reports shall be filed with the

county clerk in the county in which the election is held. The county clerk shall notify each candidate by mail postmarked at least fourteen days prior to the deadline for filing the pre-election contribution reports and the final contribution reports and at that time furnish each candidate with the appropriate forms and instructions for complying with the deadlines. The final report notice shall also inform the candidates of the deadline for filing supplemental contribution reports and supplemental expenditure reports and shall include the forms and instructions for those reports.

(g) Candidates who are unopposed in any election are not required to file any contribution reports prior to those unopposed elections. Furthermore, the final contribution report following preferential primary elections may be included in the final report following the general primary election.

(h) A candidate or any person acting in the candidate's behalf who has not received contributions in excess of Five Hundred Dollars (\$500.00) as of the date a pre-election report shall be complete shall not be required to file the pre-election report required by this Section of this Act. Such candidate or person shall comply with the pre-election filing required by this Section within three days after he has received contributions in excess of Five Hundred Dollars (\$500.00).

(i) Any personal loan made to a candidate by a financial institution which is applied toward a candidate's campaign shall be reported as a campaign contribution, as required by this Act. The name of the financial institution, the amount of the loan, and the name of the guarantor, if any, shall be reported."

SECTION 3. Section 4 of Act 788 of 1975, as amended, the same being Arkansas Statute 3-1112, is hereby amended to read as follows:

"Section 4. Expenditure reports. A candidate or person acting in the candidate's behalf shall file, along with the final report required by this Act, with the Secretary of State and the County Clerk in the county in which the candidate resides, or, if it be a school district, township, municipal, or county office with the County Clerk in the county in which the election is to be held, a list of all expenditures by categories including, but not limited to, television, radio, print and other advertising, direct mail, office supplies, rent, travel, expenses, entertainment, and telephone. The expenditure report shall include the names of all paid campaign workers and the

amount such workers were paid. Each candidate or person acting in the candidate's behalf shall also file a supplemental report, including the same information as required herein, to disclose any subsequent expenditures after the compilation date of the final report. Supplemental expenditure reports shall be filed no later than thirty days after the expenditure. Candidates for other than a school district, township, municipal or county office shall file supplemental expenditure reports with the Secretary of State and the County Clerk in the county in which the candidate resides. Candidates for a school district, township, municipal or county office shall file supplemental expenditure reports with the County Clerk of the county in which the election is held."

SECTION 4. (a) Act 469 of 1975 is hereby repealed.

(b) All laws and parts of laws in conflict with this Act are hereby repealed.

