

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Flanagin**

A Bill

HOUSE BILL 1138

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §§7-6-207, 7-6-208, 7-6-209
9 TO REQUIRE A CANDIDATE TO DISCLOSE ON THE FINAL REPORT
10 WHICH OPTION UNDER ARKANSAS CODE §7-6-203 (j) WAS USED TO
11 DISPOSE OF ANY BALANCE OF CAMPAIGN FUNDS; AND FOR OTHER
12 PURPOSES."

Subtitle

14 "TO REQUIRE A CANDIDATE TO DISCLOSE ON THE FINAL REPORT
15 WHICH OPTION WAS USED TO DISPOSE OF ANY BALANCE OF
16 CAMPAIGN FUNDS."
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code §7-6-207 is amended to read as follows:

22 "7-6-207. Reports of contributions - Candidates for office other than
23 school district, township, municipal, or county office, etc.

24 (a) Reports Required. Except as provided in subsection (c) of this
25 section, each candidate for office, other than a school district, township,
26 municipal, or county office, or a person acting in the candidate's behalf,
27 shall:

28 (1) No later than fifteen (15) days after the end of each month,
29 file a report of all contributions received and expenditures made during the
30 month for which the report is filed. The first report shall be filed for the
31 month in which the candidate's cumulative contributions exceed five hundred
32 dollars (\$500). The final monthly report shall be filed within thirty (30)
33 days after the end of the month in which the last election is held at which
34 the candidate seeks nomination or election.

35 (2) No later than seven (7) days prior to preferential primary

1 elections, runoff elections, general elections, and special elections, file a
2 preelection report of all contributions received and expenditures made between
3 the period covered by the previous monthly report and ten (10) days before the
4 election.

5 (3) File quarterly supplemental reports of all contributions
6 received and expenditures made after the time period covered by the final
7 monthly report, such supplemental reports to be filed within fifteen (15) days
8 of the end of each quarter. No supplemental report is required to be filed
9 during any quarter in which the candidate has received no contributions and
10 made no expenditures.

11 (4) Upon receiving the first monthly report from any candidate,
12 the Secretary of State shall notify the candidate by mail of the deadlines for
13 filing remaining monthly reports, preelection reports, and supplemental
14 reports and furnish each candidate with the appropriate forms and instructions
15 for complying with the deadlines. All reports shall be filed on the forms
16 furnished by the Secretary of State.

17 (b) Contents of Reports.

18 (1) The campaign reports required by subsection (a) of this
19 section shall indicate:

20 (A) The total amount of contributions received and the
21 total amount of expenditures made during the filing periods;

22 (B) The name and address of each person, including the
23 candidate, who made a contribution which, in the aggregate, exceeds one
24 hundred dollars (\$100);

25 (C) The contributor's principal place of business,
26 employer, occupation, and the amount contributed;

27 (D) A description of non-money items contributed, not
28 including volunteer service by individuals;

29 (E) An itemization of all single expenditures made which
30 exceed one hundred dollars (\$100), including the amount of the expenditure and
31 the name and address of any person, including the candidate, to whom the
32 expenditure was made;

33 (F) A list of all paid campaign workers and the amount the
34 workers were paid;

35 (G) A list of all expenditures by categories including, but

1 not limited to, television, radio, print, and other advertising, direct mail,
2 office supplies, rent, travel, expenses, entertainment, and telephone; and

3 (H) The current surplus or debt of campaign funds.

4 (2) The final report shall also indicate which option under §7-6-
5 203(j) was used to dispose of any *surplus* of campaign funds.

6 (3) The reports shall be filed with the Secretary of State and
7 the county clerk in the county where the candidate resides.

8 (c)(1) Reports Not Required. A candidate or any person acting in the
9 candidate's behalf who has not received contributions in excess of five
10 hundred dollars (\$500) shall not be required to file any reports required
11 under this section, other than the final monthly report. That candidate or
12 person shall comply with the filings required by this section beginning with
13 the first reporting period in which his total contributions exceed five
14 hundred dollars (\$500).

15 (2) A candidate or any person acting in the candidate's behalf as
16 covered by this section shall not be required to file the expenditure or
17 supplemental reports identified in § 7-6-212.

18 (d)(1) Filings - Public Inspection. The Secretary of State shall
19 establish a filing system for reports filed pursuant to this section. The
20 reports shall be kept for eight (8) years from the date of filing and
21 catalogued by candidate in chronological order and made available for public
22 inspection. After the eight-year period, the Secretary of State shall turn the
23 reports over to the Arkansas History Commission for maintenance and continued
24 public inspection.

25 (2) The Secretary of State shall report within thirty (30) days
26 to the Arkansas Ethics Commission the name of any candidate who has filed for
27 office but who fails to file a report or files a late or incomplete report,
28 excluding supplemental reports."

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30 SECTION 2. Arkansas Code §7-6-208(b) is amended to read as follows:

31 "(b)(1) Contents of Reports. The campaign contribution reports
32 required by subsection (a) of this section shall indicate the total amount of
33 contributions received during the filing periods and the name and address of
34 each person, including the candidate, who has made a contribution which, in
35 the aggregate, exceeds one hundred dollars (\$100), the contributor's principal

1 place of business, employer, occupation, and the amount contributed. The
2 reports shall be filed with the county clerk in the county in which the
3 election is held.

4 (2) The final report shall also indicate which option under §7-6-
5 203(j) was used to dispose of any *surplus* of campaign funds.

6 (3) The county clerk shall notify each candidate by mail
7 postmarked at least fourteen (14) days prior to the deadline for filing the
8 preelection contribution reports and the final contribution reports and, at
9 that time, furnish each candidate with the appropriate forms and instructions
10 for complying with the deadlines. The final report notice shall also inform
11 the candidates of the deadline for filing supplemental contribution reports
12 and supplemental expenditure reports and shall include the forms and
13 instructions for those reports."
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15 SECTION 3. Arkansas Code §7-6-209(b) is amended to read as follows:

16 "(b) (1) Contents of Reports. The campaign contribution reports
17 required by subsection (a) of this section shall indicate the total amount of
18 contributions received during the filing periods, and the name and address of
19 each person, including the candidate, who has made a contribution which, in
20 the aggregate, exceeds two hundred fifty dollars (\$250), the contributor's
21 principal place of business, employer, occupation, and the amount contributed.
22 The reports shall be filed with the county clerk in the county in which the
23 election is held.

24 (2) The final report shall also indicate which option under §7-6-
25 203(j) was used to dispose of any *surplus* of campaign funds.

26 (3) The county clerk shall notify each candidate by mail
27 postmarked at least fourteen (14) days prior to the deadline for filing the
28 preelection contribution reports and the final contribution reports and, at
29 that time, furnish each candidate with the appropriate forms and instructions
30 for complying with the deadlines. The final report notice shall also inform
31 the candidates of the deadline for filing supplemental contribution reports
32 and supplemental expenditure reports and shall include the forms and
33 instructions for those reports."
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35 SECTION 4. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 5. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 6. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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/s/Rep. Flanagan

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