

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representatives Flanagin and Bisbee

A Bill

HOUSE BILL 1153

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-6-207 (a) TO PROVIDE THAT
9 WHENEVER A PREELECTION REPORT IS REQUIRED, IT SHALL BE
10 FILED IN LIEU OF A MONTHLY REPORT COVERING THE PREVIOUS
11 MONTH; AND FOR OTHER PURPOSES."

Subtitle

15 "AN ACT TO PROVIDE THAT WHENEVER A
16 PREELECTION REPORT IS REQUIRED, IT SHALL
17 BE FILED IN LIEU OF A MONTHLY REPORT
18 COVERING THE PREVIOUS MONTH."

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

23 SECTION 1. Arkansas Code 7-6-207 (a) is amended to read as follows:

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 (a) *REPORTS REQUIRED. (1) Except as provided in subsection (c)*
29 *of this section, each candidate for office, other than a school district,*
30 *township, municipal or county office, or a person acting in the candidate's*
31 *behalf shall file with the Secretary of State and the county clerk in the*
32 *county where the candidate resides:*

33 (A) *For each quarter during a calendar year in which a*
34 *candidate is not listed on any ballot for election, a quarterly report of all*
35 *contributions received and expenditures made during that quarter. The*

1 quarterly report shall be filed no later than fifteen (15) days after the end
2 of each quarter.

3 (B) Beginning with the month of January in the calendar
4 year in which a candidate may be listed on any ballot for election, a monthly
5 report of all contributions received and expenditures made during that month.
6 However, for any month in which certain days of that month are included in a
7 preelection report required under subdivision (a)(1)(C), no monthly report
8 for that month shall be due but those days of that month not included in the
9 preelection report shall be carried forward and included in the final
10 election report for that election. The monthly report shall be filed no
11 later than fifteen (15) days after the end of each month, except that the
12 final monthly report, covering the month during which an election is held,
13 shall be filed within thirty (30) days after the end of the month in which
14 the last election is held at which the candidate seeks nomination and after
15 the end of the month in which the general election is held. With respect to
16 a special election, the candidate shall file monthly reports hereunder
17 beginning with the month in which the special election candidate's total
18 campaign contributions or expenditures exceed five hundred dollars (\$500).

19 (C) No later than seven (7) days prior to preferential
20 primary elections, runoff elections, general elections or special elections,
21 file a preelection report of all contributions received and expenditures made
22 between the period covered by the previous report and the period ten (10)
23 days before the election.

24 (D) No later than fifteen (15) days after the end of the
25 quarter, a quarterly supplemental reports of all contributions received and
26 expenditures made between the final monthly report and the first quarterly
27 report. No supplemental report is required to be filed during any quarter in
28 which the candidate has received no contributions and made no expenditures.

29 (2) Upon receiving the first report from any candidate, or upon
30 receipt of the candidates' notice of filing for office, the Secretary of
31 State shall provide the candidate with information on the deadlines for
32 filing remaining quarterly, monthly and preelection reports and shall furnish
33 each candidate with the appropriate forms and instructions for complying with
34 the deadlines. All reports shall be filed on the forms furnished by the
35 Secretary of State, except that computer generated contribution and

1 expenditure reports shall be accepted by the Secretary of State and the
2 Arkansas Ethics Commission provided that all of the requisite elements are
3 included.

4
5 (3) For all reports except preelection reports, a report is
6 timely filed if it is either hand delivered or mailed to the Secretary of
7 State, properly addressed, postage prepaid bearing a postmark indicating that
8 it was received by the post office or common carrier on the date that the
9 report is due. A preelection report is timely filed if it is received in the
10 Secretary of State's office no later than seven (7) days prior to the
11 election for which it is filed. The Secretary of State shall accept an
12 electronic facsimile via telephone transmission of any preelection report.

13 (b) Contents of Reports.

14 (1) The contribution and expenditure reports required by
15 subsection (a) of this section shall indicate:

16 (A) The total amount of contributions received and the
17 total amount of expenditures made during the filing periods, and the
18 cumulative amount of those totals;

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

22 (C) The contributor's principal place of business,
23 employer, occupation, the amount contributed and the date the contribution
24 was accepted by the candidate;

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

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

31 (F) A list of all paid campaign workers and the amount the
32 workers were paid;

33 (G) A list of all expenditures by categories including,
34 but not limited to, television, radio, print, and other advertising, direct
35 mail, office supplies, rent, travel, expenses, entertainment, and telephone;

1 (H) The total amount of all non-itemized expenditures made
2 during the filing period; and

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

4 (2) The final report shall also indicate which option under
5 § 7-6-203(j) was used to dispose of any surplus of campaign funds, the amount
6 of funds disposed of by the candidate and the amount of funds retained by the
7 candidate in accordance with 7-6-203(j).

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

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

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

26 (2) The Secretary of State shall furnish to the Arkansas Ethics
27 Commission, no later than thirty (30) days after each filing deadline under
28 this section, a report listing the names of all candidates who have filed for
29 office, the type of report filed by each such candidate and the date the
30 report was received by the Secretary of State."

31

32 SECTION 2. All provisions of this act of a general and permanent
33 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
34 Code Revision Commission shall incorporate the same in the Code.

35

1 SECTION 3. If any provision of this act or the application thereof to
2 any person or circumstance is held invalid, such invalidity shall not affect
3 other provisions or applications of the act which can be given effect without
4 the invalid provision or application, and to this end the provisions of this
5 act are declared to be severable.

6

7 SECTION 4. All laws and parts of laws in conflict with this act are
8 hereby repealed.

9

10 /s/Rep. Flanagan, et al

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

- 1
- 2
- 3
- 4
- 5
- 6