

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1229

4 By: Representative Argue, Ferrell, Vess, and T. Smith

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## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-6-203 (i) AND (j) TO  
9 PROHIBIT A CANDIDATE FROM TAKING CAMPAIGN FUNDS AS  
10 PERSONAL INCOME; TO *EXPAND* THE USE OF SURPLUS CAMPAIGN  
11 *FUNDS; TO REPEAL ARKANSAS CODE 7-6-203 (h) CONCERNING THE*  
12 *TAKING OF CAMPAIGN FUNDS AS PERSONAL INCOME; AND FOR OTHER*  
13 *PURPOSES."*

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## Subtitle

16 "AN ACT TO PROHIBIT A CANDIDATE FROM  
17 TAKING CAMPAIGN FUNDS AS PERSONAL INCOME  
18 AND TO *EXPAND* THE USE OF SURPLUS  
19 CAMPAIGN FUNDS."

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

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24 SECTION 1. Arkansas Code 7-6-203 (i) is amended to read as follows:

25 "(i) A candidate shall not take any campaign funds as personal  
26 income. A candidate shall not take any campaign funds as income for his or  
27 her spouse or dependent children; except that this subsection (i) shall not  
28 prohibit a candidate who has an opponent to employ his or her spouse or  
29 dependent children as campaign workers *and except that any candidate who has*  
30 *an opponent and who during the campaign and before the election takes a leave*  
31 *of absence without pay from his primary place of employment shall be*  
32 *authorized to take campaign funds during the campaign and before the election*  
33 *as personal income up to the amount of employment income lost as a result of*  
34 *such leave of absence."*

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1 SECTION 2. Arkansas Code 7-6-203 (j) is amended to read as follows:

2 "(j)(1) Within thirty (30) days following a general election, a  
3 candidate shall turn over to either:

4 (A) The Treasurer of State for the benefit of the General  
5 Revenue Fund Account of the State Apportionment Fund;

6 (B) An organized political party as defined in §  
7 7-1-101(1);

8 (C) A nonprofit organization which is exempt from taxation  
9 under Section 501(c)(3) of the Internal Revenue Code; or

10 (D) The contributors to the candidate's campaign, any  
11 balance of campaign funds over expenses incurred as of the day of the  
12 election except for:

13 (i) An amount equal to the yearly salary, excluding  
14 expense allowances, set by Arkansas law for the office sought; and

15 (ii) Any funds required to reimburse the candidate  
16 for personal funds contributed to the campaign or to repay loans made by  
17 financial institutions to the candidate and applied to the campaign.

18 (2) If an unopposed candidate agrees not to solicit further  
19 campaign contributions by filing an affidavit with the Secretary of State  
20 declaring such agreement, the candidate may dispose of any surplus of  
21 campaign funds prior to a general election after the time has passed to  
22 declare an intent to be a write-in candidate pursuant to § 7-5-205.

23 (3) *Campaign funds retained by the candidate under subdivision*  
24 *(j)(1)(D)(i) of this section may be expended at any time for any purpose not*  
25 *prohibited by this chapter. However, the candidate shall not take the funds*  
26 *as personal income or as income for his or her spouse or dependent children."*

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28 SECTION 3. Arkansas Code 7-6-203 (h) is repealed.

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30 SECTION 4. All provisions of this act of a general and permanent  
31 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
32 Code Revision Commission shall incorporate the same in the Code.

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34 SECTION 5. If any provision of this act or the application thereof to  
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 act are declared to be severable.

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

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*/s/Argue, et al*

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***As Engrossed: 1/26/95 3/30/95***

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