

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

# A Bill

SENATE BILL 516

4 By: Senators Boozman, Bradford, Bearden and Russ

5  
6

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 7, CHAPTER 6,  
9 SUBCHAPTER 2 CONCERNING VOLUNTARY CAMPAIGN CONTRIBUTION  
10 LIMITS; AND FOR OTHER PURPOSES."

11

## Subtitle

12 "AN ACT CONCERNING VOLUNTARY CAMPAIGN  
13 CONTRIBUTION LIMITS."  
14

15

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

17

18 SECTION 1. Arkansas Code Title 7, Chapter 6, Subchapter 2 is amended  
19 by adding the following new section:

20 "7-6-220. Voluntary Contribution Limits; tax deduction for small  
21 contributors.

22 (a) Within seven (7) days of winning nomination, a candidate who has a  
23 filed opponent to his or her election to a statewide office or to the General  
24 Assembly may choose to be proscribed by law from accepting from any person  
25 any contribution in excess of two hundred fifty dollars (\$250) for the  
26 candidate\_s general election campaign in that year. For purposes of  
27 implementation of this section only, a contribution shall be considered one  
28 for the general election campaign if applied to such campaign or its debt and  
29 deposited in campaign funds beginning eight (8) days after the winning of  
30 nomination. The candidate shall choose such proscription by executing it  
31 under oath on a form provided by the Secretary of State, approved by the  
32 Arkansas Ethics Commission, and filed by the candidate with the Secretary of  
33 State within seven (7) days of winning nomination. Once such proscription is  
34 executed and filed, it shall have the force of law and a violation of it  
35 shall subject the candidate to the penalties set forth in § 7-6-202 and to

1 the enforcement provisions set forth in §§ 7-6-217 and 7-6-218.

2 (b) Should a candidate execute and file the proscriptioin described in  
3 subsection (a) of this section, then a natural person who in the aggregate  
4 contributes no more than *two hundred fifty dollars (\$250)* to the candidate\_s  
5 general election campaign shall be entitled to deduct an amount equal to his  
6 or her contribution from taxable income on such person\_s individual or  
7 married state income tax return for the year in which the contribution was  
8 made. The person shall be entitled to such deduction in addition to and  
9 without itemizing other deductions.

10 (c) A candidate choosing the proscriptioin described in subsection (a)  
11 of this section shall provide to a contributor described in subsection (b) of  
12 this section and to the Department of Finance and Administration, on a form  
13 provided by such department, verification of the name and address of the  
14 contributor, the date and amount of the contribution, and the contributor\_s  
15 entitlement to the tax deduction allowed by subsection (b) of this section.  
16 The department shall promulgate rules necessary to implement the provisions  
17 of this subsection and of subsection (b) of this section.

18 (d) A copy of the form provided to contributors pursuant to subsection  
19 (c) of this section shall be filed by the candidate with the Secretary of  
20 State as part of the candidate\_s final monthly report required by §7-6-  
21 207(a)."

22

23 *SECTION 2. The tax deduction provided for in this act shall be*  
24 *effective for tax years beginning on or after January 1, 1996.*

25

26 *SECTION 3. All provisions of this act of a general and permanent*  
27 *nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas*  
28 *Code Revision Commission shall incorporate the same in the Code.*

29

30 *SECTION 4. If any provision of this act or the application thereof to*  
31 *any person or circumstance is held invalid, such invalidity shall not affect*  
32 *other provisions or applications of the act which can be given effect without*  
33 *the invalid provision or application, and to this end the provisions of this*  
34 *act are declared to be severable.*

35

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

3

4 SECTION 6. EMERGENCY. It is hereby found and determined by the  
5 General Assembly that there exists a need to offer candidates for statewide  
6 and legislative office an opportunity to voluntarily limit maximum campaign  
7 contributions while establishing a system within the state tax code to  
8 encourage more participation by small individual contributors in the  
9 financing of political campaigns. Therefore, an emergency is hereby declared  
10 to exist and this act being necessary for the immediate preservation of the  
11 public peace, health and safety shall be in full force and effect from and  
12 after its passage and approval.

13

14

*/s/Boozman et al*

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

***As Engrossed: 2/24/95***

**SB 516**

1

2

3

**0209951416.mih666**