

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/14/07

A Bill

HOUSE BILL 2727

5 By: Representatives Petrus, Thyer
6
7

For An Act To Be Entitled

9 AN ACT TO REVISE PORTIONS OF ARKANSAS CODE
10 CONCERNING ETHICS; CONCERNING CAMPAIGN
11 CONTRIBUTIONS AND GIFTS; AMENDING PORTIONS OF
12 ARKANSAS CODE RESULTING FROM INITIATED ACT 1 OF
13 1988, INITIATED ACT 1 OF 1990, AND INITIATED ACT
14 1 OF 1996; AND FOR OTHER PURPOSES.
15

Subtitle

16 AN ACT TO REVISE PORTIONS OF ARKANSAS
17 CODE CONCERNING ETHICS AND CONCERNING
18 CAMPAIGN CONTRIBUTIONS AND GIFTS.
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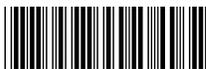
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. Arkansas Code § 7-6-203(a) and (b), concerning campaign*
25 *contribution limitations and created by Initiated Act 1 of 1990 and Initiated*
26 *Act 1 of 1996, is amended to read as follows:*

27 *7-6-203. Contributions - Limitations - Acceptance or solicitation - Use*
28 *as personal income - Disposition.*

29 *(a)(1)(A) It shall be unlawful for any candidate for any public*
30 *office, except the office of Governor, Lieutenant Governor, Secretary of*
31 *State, Treasurer of State, Auditor of State, Attorney General, and*
32 *Commissioner of State Lands, or for any person acting on the candidate's*
33 *behalf to accept campaign contributions in excess of ~~two thousand dollars~~*
34 *~~(\$2,000) one thousand dollars (\$1,000) per election from any person.~~*

35 *(B) A candidate may accept a campaign contribution or*
36 *contributions up to the maximum amount from any prospective contributor for*



1 each election, whether opposed or unopposed.

2 (2)(A) It shall be unlawful for any candidate for the office of
3 Governor, Lieutenant Governor, Secretary of State, Treasurer of State,
4 Auditor of State, Attorney General, and Commissioner of State Lands, or for
5 any person acting on the candidate's behalf to accept campaign contributions
6 in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per
7 election from any person.

8 (B) A candidate may accept a campaign contribution or
9 contributions up to the maximum amount from any prospective contributor for
10 each election, whether opposed or unopposed.

11 (b)(1)(A) It shall be unlawful for any person to make a contribution
12 to a candidate for any public office, except the office of Governor,
13 Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of
14 State, Attorney General, and Commissioner of State Lands, or to any person
15 acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand~~
16 ~~dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

17 (B) A person may make a contribution or contributions up
18 to the maximum amount to a candidate for each election, whether opposed or
19 unopposed.

20 (2)(A) It shall be unlawful for any person to make a
21 contribution to a candidate for the office of Governor, Lieutenant Governor,
22 Secretary of State, Treasurer of State, Auditor of State, Attorney General,
23 and Commissioner of State Lands, or to any person acting on the candidate's
24 behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one
25 thousand dollars (\$1,000) per election.

26 (B) A person may make a contribution or contributions up
27 to the maximum amount to a candidate for each election, whether opposed or
28 unopposed.

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30 SECTION 2. Arkansas Code § 7-6-203(g), concerning the use of campaign
31 funds as personal income and created by Initiated Act 1 of 1996, is amended
32 to read as follows:

33 (g)(1) A candidate shall not take any campaign funds as personal
34 income. This subdivision (g)(1) shall not apply to campaign funds that were:

35 (A) Accumulated prior to the passage of Initiated Act 1 of
36 1990; or

1 (B) Disposed of prior to July 28, 1995.

2 (2) A candidate shall not take any campaign funds as income for
3 his or her spouse or dependent children, except that:

4 (A) This subsection shall not prohibit a candidate who has
5 an opponent from employing his or her spouse or dependent children as
6 campaign workers; and except that

7 (B) Any candidate who has an opponent and who, during the
8 campaign and before the election, takes a leave of absence without pay from
9 his or her primary place of employment shall be authorized to take campaign
10 funds during the campaign and before the election as personal income up to
11 the amount of employment income lost as a result of such leave of absence.

12 (3) A candidate who takes campaign funds during the campaign and
13 before the election under a leave of absence pursuant to the provisions of
14 subdivision (g)(2) of this section may elect to treat the campaign funds as a
15 loan from the campaign fund to the candidate to be paid back to the campaign
16 fund by the candidate.

17 (4)(A) For purposes of this subsection, a candidate who uses
18 campaign funds to fulfill any commitment, obligation, or expense that would
19 exist regardless of the candidate's campaign shall be deemed to have taken
20 campaign funds as personal income.

21 (B) The use of campaign funds to purchase a cake or other
22 perishable item of food at a fund-raising event held by a volunteer agency,
23 as defined in § 16-6-103, shall not be considered a taking of campaign funds
24 as personal income.

25 (C)(i) The use of campaign funds by a candidate to make a
26 contribution to another candidate's campaign shall not be considered a taking
27 of campaign funds as personal income.

28 (ii) A contribution made under subdivision
29 (g)(4)(C)(i) of this section shall not exceed two hundred fifty dollars
30 (\$250) per election.

31 (iii) A contribution under subdivision (g)(4)(C)(i)
32 of this section shall not count toward the campaign contribution limitations
33 established under subsections (a) and (b) of this section.

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35 SECTION 3. Arkansas Code § 21-8-402(5)(B)(xii), concerning certain
36 exceptions to the definition of "gift" and resulting from Initiated Act 1 of

1 1988, is amended to read as follows:

2 (xii) An item which appointed or elected members of
3 a specific governmental body or employees of an appointed or elected
4 governmental official purchase with their own personal funds and present to a
5 fellow member of that governmental body or official in recognition of public
6 service;

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8 SECTION 4. Arkansas Code § 21-8-801(a)(1), concerning prohibited acts
9 of public servants and resulting from Initiated Act 1 of 1988, is amended to
10 read as follows:

11 (1) Receive a gift or compensation as defined in § 21-8-401 et
12 seq., other than income and benefits from the governmental body to which he
13 or she is duly entitled, ~~for the performance of the duties and~~
14 ~~responsibilities of his or her office or position~~ when the gift or
15 compensation is given as a result of:

16 (A) The public servant's office or position; or

17 (B) A business relationship developed as a result of the
18 public servant's office or position; or

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20 /s/ Petrus, et al

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