

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: S1/24/07 S2/5/07 S2/13/07

# A Bill

SENATE BILL 59

5 By: Senators Faris, Baker, Glover

6 By: Representatives Saunders, Harrelson, D. Evans, Greenberg, Maloch, Moore, Powers, Reep, Thyer,  
7 Wood

## For An Act To Be Entitled

11 AN ACT TO AMEND VARIOUS PROVISIONS PERTAINING TO  
12 CAMPAIGN FINANCE PRACTICES; TO AMEND PORTIONS OF  
13 THE ARKANSAS CODE WHICH RESULTED FROM INITIATED  
14 ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND  
15 FOR OTHER PURPOSES.

## Subtitle

18 AN ACT TO AMEND VARIOUS PROVISIONS OF  
19 THE ARKANSAS CODE PERTAINING TO CAMPAIGN  
20 FINANCE PRACTICES.

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

25 SECTION 1. Arkansas Code § 7-1-103(a), concerning certain misdemeanor  
26 violations, is amended to read as follows:

27 7-1-103. Miscellaneous misdemeanor offenses - Penalties.

28 (a) The violation of any of the following shall be deemed misdemeanors  
29 punishable as provided in this section:

30 (1) It shall be unlawful for any person to appoint or offer to  
31 appoint anyone to any office or position of trust or for any person to  
32 influence, attempt to influence, or offer to influence the appointment,  
33 nomination, or election of any person to office in consideration of the  
34 support or assistance of the person for any candidate in any election in this  
35 state;

36 (2)(A) It shall be unlawful for any public servant, as defined



1 in § 21-8-402, to devote any time or labor during usual office hours toward  
2 the campaign of any other candidate for office or for the nomination to any  
3 office; ~~and~~

4 (B) It shall be unlawful for any public servant, as  
5 defined in § 21-8-402, to circulate an initiative or referendum petition or  
6 to solicit signatures on an initiative or referendum petition in any public  
7 office of the state, county, or municipal governments of Arkansas or during  
8 the usual office hours or while on duty for any state agency or any county or  
9 municipal government in Arkansas; and

10 (C) It shall be unlawful for any public servant, as  
11 defined in § 21-8-402, to coerce by threats or otherwise any public employee  
12 into devoting time or labor toward the campaign of any candidate for office  
13 or for the nomination to any office;

14 (3)(A) It shall be unlawful for any public servant, as defined  
15 in § 21-8-402, to use any office or room furnished at public expense to  
16 distribute any letters, circulars, or other campaign materials unless such  
17 office or room is regularly used by members of the public for such purposes  
18 without regard to political affiliation. It shall further be unlawful for any  
19 public servant to use for campaign purposes any item of personal property  
20 provided with public funds~~;~~.

21 (B) As used in subdivision (a)(3)(A) of this section,  
22 “campaign materials” and “campaign purposes” refer to the campaign of a  
23 candidate for public office and not efforts to support or oppose a ballot  
24 measure;

25 (4) It shall be unlawful for any person to assess any public  
26 employee, as defined in § 21-8-402, for any political purpose whatever or to  
27 coerce by threats or otherwise any public employee into making a subscription  
28 or contribution for any political purpose;

29 (5) It shall be unlawful for any person employed in any capacity  
30 in any department of the State of Arkansas to have membership in any  
31 political party or organization which advocates the overthrow of our  
32 constitutional form of government;

33 (6) It shall be unlawful for any campaign banners, campaign  
34 signs, or other campaign literature to be placed on any cars, trucks,  
35 tractors, or other vehicles belonging to the State of Arkansas or any  
36 municipality, ~~or~~ county, or school district in the state;

1           (7)(A) All articles, statements, or communications appearing in  
2 any newspaper printed or circulated in this state or on radio, television, or  
3 any other electronic medium intended or calculated to influence the vote of  
4 any elector in any election and for the publication of which a consideration  
5 is paid or to be paid shall clearly contain the words "Paid Political  
6 Advertisement" or "Paid Political Ad".

7           (B) Both the persons placing and the persons publishing  
8 the articles, statements, or communications shall be responsible for  
9 including the required disclaimer;

10          (8) [Repealed.]

11          (9)(A) No election official acting in his official capacity  
12 shall do any electioneering on any election day or any day on which early  
13 voting is allowed. Except as provided in subdivisions (B) and (C) of this  
14 subdivision (a)(9), no person shall hand out or distribute or offer to hand  
15 out or distribute any campaign literature or any literature regarding any  
16 candidate or issue on the ballot, solicit signatures on any petition, solicit  
17 contributions for any charitable or other purpose, or do any electioneering  
18 of any kind whatsoever in the building or within one hundred feet (100') of  
19 the primary exterior entrance used by voters to the building containing the  
20 polling place on election day.

21          (B) During early voting days, no person shall hand out or  
22 distribute or offer to hand out or distribute any campaign literature or any  
23 literature regarding any candidate or issue on the ballot, solicit signatures  
24 on any petition, solicit contributions for any charitable or other purpose,  
25 or do any electioneering of any kind whatsoever during early voting hours in  
26 the building or within one hundred feet (100') of the primary exterior  
27 entrance used by voters to the building containing the early voting site nor  
28 engage in those activities with persons standing in line to vote whether  
29 within or without the courthouse.

30          (C) When the early voting occurs at a facility other than  
31 the county clerk's office, no person shall hand out or distribute or offer to  
32 hand out or distribute any campaign literature or any literature regarding  
33 any candidate or issue on the ballot, solicit signatures on any petition,  
34 solicit contributions for any charitable or other purpose, or do any  
35 electioneering of any kind whatsoever in the building or within one hundred  
36 feet (100') of the primary exterior entrance used by voters to the building

1 containing the polling place;

2 (10) No election official shall perform any of the duties of the  
3 position before taking and subscribing to the oath provided for in § 7-4-110;

4 (11) No person applying for a ballot shall swear falsely to any  
5 oath administered by the election officials with reference to his or her  
6 qualifications to vote;

7 (12) No person shall willfully cause or attempt to cause his own  
8 name to be registered in any other election precinct than that in which he is  
9 or will be before the next ensuing election qualified as an elector;

10 (13) During any election, no person shall remove, tear down, or  
11 destroy any booths or supplies or other conveniences placed in any booth or  
12 polling site for the purpose of enabling the voter to prepare his ballot;

13 (14) No person shall take or carry any ballot obtained from any  
14 election official outside of the polling room or have in his possession  
15 outside of the polling room before the closing of the polls any ballot  
16 provided by any county election commissioners;

17 (15) No person shall furnish a ballot to any elector who cannot  
18 read informing him that it contains a name or names different from those  
19 which are written or printed thereon or shall change or mark the ballot of  
20 any elector who cannot read so as to prevent the elector from voting for any  
21 candidate, act, section, or constitutional amendment as the elector intended;

22 (16) No election official or other person shall unfold a ballot  
23 or without the express consent of the voter ascertain or attempt to ascertain  
24 any vote on a ballot before it is placed in the ballot box;

25 (17) No person shall print or cause to be printed any ballot for  
26 any election held under this act with the names of the candidates appearing  
27 thereon in any other or different order or manner than provided by this act;

28 (18) No election official shall permit the vote of any person to  
29 be cast in any election precinct in this state in any election legally held  
30 in this state when the person does not appear in person at the election  
31 precinct and actually cast the vote. This subdivision (a)(18) shall not apply  
32 to persons entitled to cast absentee ballots;

33 (19)(A) No person shall vote or offer to vote more than one (1)  
34 time in any election held in this state, either in person or by absentee  
35 ballot, or shall vote in more than one (1) election precinct in any election  
36 held in this state.

1 (B) No person shall cast a ballot or vote in the  
2 preferential primary of one (1) political party and then cast a ballot or  
3 vote in the general primary of another political party in this state;

4 (20) No person shall:

5 (A) Vote, knowing himself not to be entitled to vote;

6 (B) Vote more than once at any election, or knowingly cast  
7 more than one (1) ballot, or attempt to do so;

8 (C) Alter or attempt to alter any ballot after it has been  
9 cast;

10 (D) Add or attempt to add any ballot to those legally  
11 polled at any election either by fraudulently introducing it into the ballot  
12 box before or after the ballots have been counted or at any other time or in  
13 any other manner with the intent or effect of affecting the count or recount  
14 of the ballots;

15 (E) Withdraw or attempt to withdraw any ballot lawfully  
16 polled with the intent or effect of affecting the count or recount of the  
17 ballots; or

18 (F) In any manner interfere with the officials lawfully  
19 conducting the election or the canvass or with the voters lawfully exercising  
20 their right to vote at the election;

21 (21) No person shall make any bet or wager upon the result of  
22 any election in this state;

23 (22) No election official, poll watcher, or any other person in  
24 or out of this state in any primary, general, or special election in this  
25 state shall divulge to any person the results of any votes cast for any  
26 candidate or on any issue in the election until after the closing of the  
27 polls on the day of the election. The provisions of this subdivision (a)(22)  
28 shall not apply to any township or precinct in this state in which all of the  
29 registered voters therein have voted prior to the closing of the polls in  
30 those instances where there are fifteen (15) or fewer registered voters in  
31 the precinct or township; and

32 (23) Any person, election official, county clerk, or deputy  
33 clerk who violates any provisions of the absentee voting laws, § 7-5-401 et  
34 seq., shall be punished as provided in this section.

35  
36 SECTION 2. Arkansas Code § 7-6-203(g) and (h), concerning the use of

1 campaign funds and resulting from Initiated Act 1 of 1990 and Initiated Act 1  
2 of 1996, are amended to read as follows:

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

5 (A) Accumulated prior to the passage of Initiated Act 1 of  
6 1990; or

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

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

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

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

18 (3) A candidate who takes campaign funds during the campaign and  
19 before the election under a leave of absence pursuant to the provisions of  
20 subdivision (g)(2) of this section may elect to treat the campaign funds as a  
21 loan from the campaign fund to the candidate to be paid back to the campaign  
22 fund by the candidate.

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

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

31 (C) The use of campaign funds to purchase advertising  
32 prior to the date the final report is due to be filed thanking voters for  
33 their support shall not be considered a taking of campaign funds as personal  
34 income.

35 (h)(1) Within thirty (30) days following the end of the month in which  
36 the general election is held, a candidate shall turn over surplus campaign

1 funds to either:

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

4 (B) An organized political party as defined in § 7-1-101  
5 or a political party caucus of the General Assembly, the Senate, or the House  
6 of Representatives;

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

9 (D) The contributors to the candidate's campaign.

10 (2)(A) If an unopposed candidate agrees not to solicit further  
11 campaign contributions by filing an affidavit declaring such an agreement,  
12 the candidate may dispose of any surplus campaign funds prior to a general  
13 election as soon as the time has passed to declare an intent to be a write-in  
14 candidate pursuant to § 7-5-205.

15 (B) For unopposed candidates for nonpartisan judicial  
16 office, the affidavit may be filed after the deadlines have passed to declare  
17 as a filing fee candidate, petition candidate, or write-in candidate under §  
18 7-10-103.

19 (C) The affidavit shall be filed in the office where the  
20 candidate is required to file reports of contributions received and  
21 expenditures made.

22 (D) Unopposed candidates and defeated candidates who file  
23 the affidavit are exempt from further reporting requirements provided that  
24 the affidavit contains a statement that the candidate's campaign fund has a  
25 zero balance.

26 (3)(A) Carryover funds may be expended at any time for any  
27 purpose not prohibited by this chapter and may be used as campaign funds for  
28 seeking any public office. Nothing shall prohibit a person at any time from  
29 disposing of all or any portion of his or her carryover funds in the same  
30 manner as for surplus campaign funds. However, the candidate shall not take  
31 the funds as personal income or as income for his or her spouse or dependent  
32 children.

33 (B)(i) When a person having carryover funds files as a  
34 candidate for public office, his or her carryover funds shall be transferred  
35 to the person's active campaign fund. Once transferred, the funds will no  
36 longer be treated as carryover funds.

1 (ii) This subdivision (h)(3)(B) shall not apply to  
2 carryover funds from an election held prior to July 1, 1997.

3 (iii) This subdivision (h)(3)(B) shall not apply to  
4 a campaign debt.

5 (C)(i) If carryover funds are expended prior to  
6 transferring the funds to an active campaign fund, the expenditures shall be  
7 reported pursuant to this subdivision (h)(3)(C). A person shall file an  
8 expenditure report concerning carryover funds if since the last report  
9 concerning the carryover funds, the person has expended in excess of five  
10 hundred dollars (\$500). The report shall be filed ~~with the Secretary of~~  
11 State at the office where the candidate was required to file his or her  
12 campaign contribution and expenditure reports for the previous campaign not  
13 later than fifteen (15) days after a calendar quarter in which a report  
14 becomes required. No report is required in any calendar quarter in which the  
15 cumulative expenditure limit has not been exceeded since the person's last  
16 report.

17 (ii) The person shall also file an expenditure  
18 report for the calendar quarter in which he or she transfers the carryover  
19 funds to an active campaign fund.

20 (iii) A person who retains carryover funds shall  
21 file an annual report outlining the status of the carryover fund account as  
22 of December 31 unless the person has filed a quarterly report during the  
23 calendar year pursuant to subdivisions (h)(3)(C)(i) and (ii) of this section.  
24 The annual report shall be due by January 31 of each year.

25 (iv) The carryover fund reports of a candidate for  
26 school district, township, municipal, or county office shall be filed with  
27 the county clerk of the county in which the election was held.

28 (v) The carryover fund reports of a candidate for  
29 state or district office shall be filed with the Secretary of State.

30 (D)(i) Carryover funds may be retained by a person for not  
31 more than ten (10) years after the last election at which he or she was a  
32 candidate, or if applicable, not more than ten (10) years after the last day  
33 that the person held office, and any remaining carryover funds shall be  
34 disposed of in the same manner as for surplus campaign funds.

35 (ii)(a) The officer with whom the person last filed  
36 a final campaign report shall provide the person timely notice of the

1 requirements of this subdivision (h)(3)(D) prior to the expiration of the  
2 ten-year period.

3 (b) However, failure to provide the notice  
4 does not relieve the person of his or her obligation under this subsection.

5 (4) After the date of an election at which the person is a  
6 candidate for nomination or election, the person shall not accept campaign  
7 contributions for ~~the past~~ that election except for the sole purpose of  
8 raising funds to retire ~~a previous~~ campaign debt.

9 (5) Surplus campaign funds or carryover funds given to a  
10 political party caucus shall be segregated in an account separated from other  
11 caucus funds and shall not be used:

12 (A) By the political party caucus to make a campaign  
13 contribution; or

14 (B) To provide any personal income to any candidate who  
15 donated surplus campaign funds or carryover funds.

16 (i) A candidate may maintain his or her campaign  
17 funds in one (1) or more campaign accounts. Campaign funds shall not be  
18 placed in an account containing personal or business funds.

19

20 SECTION 3. Arkansas Code § 7-6-205(a) and (b), concerning the making  
21 of campaign contributions and resulting from Initiated Act 1 of 1990, is  
22 amended to read as follows:

23 (a) No campaign contribution shall be made to a candidate, a political  
24 action committee, an independent expenditure committee, an exploratory  
25 committee, a county political party committee, or a political party unless  
26 such contribution is made directly to the intended recipient, provided that  
27 it shall be permissible to make a contribution to a candidate's campaign  
28 committee instead of directly to the candidate.

29 (b) No contribution shall be made to or knowingly accepted by a  
30 candidate or his or her campaign committee, a political action committee, an  
31 independent expenditure committee, an exploratory committee, a county  
32 political party committee, or a political party unless the contribution is  
33 made in the name by which the person providing the funds for the contribution  
34 is identified for legal purposes.

35

36 SECTION 4. Arkansas Code § 7-6-206 is amended to read as follows:

1 7-6-206. Records of contributions and expenditures.

2 (a) A candidate, a political party, or a person acting in the  
3 candidate's behalf shall keep records of all contributions and expenditures  
4 in a manner sufficient to evidence compliance with §§ 7-6-207 - 7-6-210.

5 (b) The records shall be made available to the Arkansas Ethics  
6 Commission and the prosecuting attorney in the district in which the  
7 candidate resides, who ~~is~~ are delegated the responsibility of enforcing this  
8 subchapter, and shall be maintained for a period of four (4) years.

9  
10 SECTION 5. Arkansas Code § 7-6-207 (a) and (b), concerning the  
11 reporting of contributions by a candidate for office other than school  
12 district, township, municipal, or county offices and resulting from Initiated  
13 Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as follows:

14 (a) Reports Required.

15 (1) Except as provided in subsection (c) of this section, each  
16 candidate for office, other than a school district, township, municipal, or  
17 county office, or a person acting in the candidate's behalf, shall file with  
18 the Secretary of State:

19 (A) For each quarter during a calendar year in which a  
20 candidate is not listed on any ballot for election, a quarterly report of all  
21 contributions received and expenditures made during that quarter. The  
22 quarterly report shall be filed no later than fifteen (15) days after the end  
23 of each quarter;

24 (B) Beginning with the month of January in the calendar  
25 year in which a candidate may be listed on any ballot for election, a monthly  
26 report of all contributions received and expenditures made during that month.  
27 However, for any month in which certain days of that month are included in a  
28 preelection report required under subdivision (a)(1)(C) of this section or a  
29 final report required under subdivision (a)(1)(D) of this section, no monthly  
30 report for that month shall be due. In the case of a primary or runoff  
31 election, those days of the month occurring after the date of the election  
32 shall be carried forward and included in the next monthly report. The  
33 monthly report shall be filed no later than fifteen (15) days after the end  
34 of each month, except that the final report, covering the month during which  
35 an election is held, shall be filed within thirty (30) days after the end of  
36 the month in which the last election is held at which the candidate seeks

1 nomination and after the end of the month in which the general election is  
2 held. With respect to a special election, the candidate shall file monthly  
3 reports under this section beginning with the month in which the special  
4 election candidate's total campaign contributions or expenditures exceed five  
5 hundred dollars (\$500);

6 (C) No later than seven (7) days prior to any preferential  
7 primary election, runoff election, general election, or special election in  
8 which the candidate's name appears on the ballot, a preelection report of all  
9 contributions received and expenditures made between the period covered by  
10 the previous report and the period ten (10) days before the election. In  
11 case of a runoff election, the report shall cover all contributions received  
12 and expenditures made during that period of time which begins after the date  
13 of the election from which the runoff arose and ends ten (10) days before the  
14 runoff election; ~~and~~

15 (D) No later than thirty (30) days after the end of the  
16 month in which the candidate's name has appeared on the ballot in any primary  
17 election, runoff election, or general election, a final report of all  
18 contributions received and expenditures made which have not been disclosed on  
19 reports previously required to be filed. A final report is required  
20 regardless of whether a candidate has received contributions or made  
21 expenditures in excess of five hundred dollars (\$500); ~~and~~

22 (E)(i) No later than thirty (30) days after the end of the  
23 month in which the candidate has withdrawn, a final report of all  
24 contributions received and expenditures made that have not been disclosed on  
25 reports previously required to be filed.

26 (ii) If a candidate withdraws from the campaign, the  
27 candidate shall notify the Secretary of State in writing of the withdrawal.

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

1 elements are included.

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

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 or contributions which, in the aggregate,  
21 exceed fifty dollars (\$50.00), the contributor's place of business, employer,  
22 occupation, and date of the contribution and the amount contributed;

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

26 (D) The name and address of each person, including the  
27 candidate, who contributed a nonmoney item, together with a description of  
28 the item, the date of receipt, and the value, not including volunteer service  
29 by individuals;

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

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

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

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

3 (H) The total amount of all nonitemized expenditures made  
4 during the filing period; and

5 (I) The current balance of campaign funds.

6 (2)(A) The When the candidate's campaign has ended, the final  
7 report shall also indicate which option under § 7-6-203(h) was used to  
8 dispose of any surplus of campaign funds, the amount of funds disposed of by  
9 the candidate, and the amount of funds retained by the candidate in  
10 accordance with § 7-6-203(h).

11 (B) If the candidate's campaign has not ended, disposal of  
12 campaign funds shall not be required and the candidate may carry forward any  
13 remaining campaign funds to the general primary election, general election,  
14 or general runoff election for that same office.

15  
16 SECTION 6. Arkansas Code § 7-6-208(a) and (b), concerning the  
17 reporting of contributions by candidates for school district, township, or  
18 municipal office and resulting from Initiated Act 1 of 1996, is amended to  
19 read as follows:

20 (a) Reports Required. Except as provided in subsection (d) of this  
21 section, each candidate for school district, township, or municipal office,  
22 or a person acting in the candidate's behalf, shall:

23 (1) No later than seven (7) days prior to any preferential  
24 primary election, runoff election, general election, school election, or  
25 special election in which the candidate's name appears on the ballot, file a  
26 preelection report of all contributions received and expenditures made  
27 between the period covered by the previous report, if any, and the period ten  
28 (10) days before the election. In case of a runoff election, the report  
29 shall cover all contributions received and expenditures made during that  
30 period of time which begins after the date of the election from which the  
31 runoff arose and ends ten (10) days before the runoff election;

32 (2) No later than thirty (30) days after any preferential  
33 primary election, runoff election, general election, school election, or  
34 special election in which the candidate's name has appeared on the ballot,  
35 file a final report of all contributions received and expenditures made which  
36 have not been disclosed on reports previously required to be filed. A final

1 report is required regardless of whether a candidate has received  
2 contributions or made expenditures in excess of five hundred dollars (\$500);  
3 ~~and~~

4 (3) File supplemental reports of all contributions received and  
5 expenditures made after the date of preparation of the final report. The  
6 supplemental reports shall be filed within thirty (30) days after the receipt  
7 of a contribution or the making of an expenditure; and

8 (4)(A) No later than thirty (30) days after the end of the month  
9 in which the candidate has withdrawn, file a final report of all  
10 contributions received and expenditures made which have not been disclosed on  
11 reports previously required to be filed.

12 (B) If a candidate withdraws from the campaign, the  
13 candidate shall notify the county clerk in writing of the withdrawal.

14 (b) Contents of Reports.

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

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

20 (B) The name and address of each person, including the  
21 candidate, who made a contribution or contributions which, in the aggregate,  
22 exceeded fifty dollars (\$50.00), the contributor's place of business,  
23 employer, occupation, and date of the contribution and the amount  
24 contributed;

25 (C) The contributor's principal place of business,  
26 employer, occupation, the amount contributed, the date the contribution was  
27 accepted by the candidate and the aggregate contributed for each election;

28 (D) The name and address of each person, including the  
29 candidate, who contributed a nonmoney item, together with a description of  
30 the item, the date of receipt, and the value, not including volunteer service  
31 by individuals;

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

36 (F) A list of all paid campaign workers and the amount the

1 workers were paid;

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

5 (H) The total amount of all nonitemized expenditures made  
6 during the filing period; and

7 (I) The current balance of campaign funds.

8 (2)(A) The When the candidate's campaign has ended, the final  
9 report shall also indicate which option under § 7-6-203(h) was used to  
10 dispose of any surplus of campaign funds, the amount of funds disposed of by  
11 the candidate, and the amount of funds retained by the candidate in  
12 accordance with § 7-6-203(h).

13 (B) If the candidate's campaign has not ended,  
14 disposal of campaign funds is not required and the candidate may carry  
15 forward any remaining campaign funds to the general primary election, general  
16 election, or general runoff election for that same office.

17 (3)(A) Not later than fourteen (14) days after the deadline for  
18 filing for office, the county clerk shall notify each candidate in person or  
19 by mail of the deadlines for filing the ten-day preelection and final reports  
20 required by subsection (a) of this section and, at that time, furnish each  
21 candidate with the appropriate forms and instructions for complying with the  
22 deadlines.

23 (B) If notice is sent by mail, then the notice shall be  
24 postmarked within fourteen (14) days after the deadline for filing for  
25 office.

26

27 SECTION 7. Arkansas Code § 7-6-209(a) and (b), concerning the  
28 reporting of contributions by candidates for county office and resulting from  
29 Initiated Act 1 of 1996, is amended to read as follows:

30 (a) Reports Required. Except as provided in subsection (d) of this  
31 section, each candidate for county office or a person acting in the  
32 candidate's behalf shall:

33 (1) No later than seven (7) days prior to any preferential  
34 primary election, runoff election, general election, or special election in  
35 which the candidate's name appears on the ballot, file a preelection report  
36 of all contributions received and expenditures made between the period

1 covered by the previous report, if any, and the period ten (10) days before  
2 the election. In case of a runoff election, the report shall cover all  
3 contributions received and expenditures made during that period of time which  
4 begins after the date of the election from which the runoff arose and ends  
5 ten (10) days before the runoff election;

6 (2) No later than thirty (30) days after any preferential  
7 primary election, runoff election, general election, or special election in  
8 which the candidate's name has appeared on the ballot, file a final report of  
9 all contributions received and expenditures made which have not been  
10 disclosed on reports previously required to be filed. A final report is  
11 required regardless of whether a candidate has received contributions or made  
12 expenditures in excess of five hundred dollars (\$500); ~~and~~

13 (3) File supplemental reports of all contributions received and  
14 expenditures made after the date of preparation of the final report, and the  
15 supplemental reports shall be filed within thirty (30) days after the receipt  
16 of a contribution or the making of an expenditure; and

17 (4)(A) No later than thirty (30) days after the end of the month  
18 in which the candidate has withdrawn, a final report of all contributions  
19 received and expenditures made which have not been disclosed on reports  
20 previously required to be filed.

21 (B) If a candidate withdraws from the campaign, the  
22 candidate shall notify the county clerk in writing of the withdrawal.

23 (b) Contents of Reports.

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

26 (A) The total amount of contributions received and the  
27 total amount of expenditures made during the filing periods, and the  
28 cumulative amount of those totals;

29 (B) The name and address of each person, including the  
30 candidate, who made a contribution or contributions which, in the aggregate,  
31 exceed fifty dollars (\$50.00), the contributor's place of business, employer,  
32 occupation, and date of the contribution and the amount contributed;

33 (C) The contributor's principal place of business,  
34 employer, occupation, the amount contributed, the date the contribution was  
35 accepted by the candidate, and the aggregate contributed for each election;

36 (D) The name and address of each person, including the

1 candidate, who contributed a nonmoney item, together with a description of  
2 the item, the date of receipt, and the value, not including volunteer service  
3 by individuals;

4 (E) An itemization of all single expenditures made which  
5 exceeded one hundred dollars (\$100), including the amount of the expenditure,  
6 the name and address of any person, including the candidate, to whom the  
7 expenditure was made, and the date the expenditure was made;

8 (F) A list of all paid campaign workers and the amount the  
9 workers were paid;

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

13 (H) The total amount of all nonitemized expenditures made  
14 during the filing period; and

15 (I) The current balance of campaign funds.

16 (2)(A) The When the candidate's campaign has ended, the final  
17 report shall also indicate which option under § 7-6-203(h) was used to  
18 dispose of any surplus of campaign funds, the amount of funds disposed of by  
19 the candidate, and the amount of funds retained by the candidate in  
20 accordance with § 7-6-203(h).

21 (B) If the candidate's campaign has not ended, disposal of  
22 campaign funds is not required and the candidate may carry forward any  
23 remaining funds in the campaign to the general primary election, general  
24 election, or general runoff election for that same office.

25 (3)(A) Not later than fourteen (14) days after the deadline for  
26 filing for office, the county clerk shall notify each candidate in person or  
27 by mail of the deadlines for filing the ten-day preelection and final reports  
28 required by subsection (a) of this section and, at that time, furnish each  
29 candidate with the appropriate forms and instructions for complying with the  
30 deadlines.

31 (B) If notice is sent by mail, then the notice shall be  
32 postmarked within fourteen (14) days after the deadline for filing for  
33 office.

34  
35 SECTION 8. Arkansas Code § 7-6-215, resulting from Initiated Act 1 of  
36 1990 and Initiated Act 1 of 1996, is amended to read as follows:

1 7-6-215. Registration and reporting by approved political action  
2 committees.

3 (a)(1)(A) To qualify as an approved political action committee, the  
4 committee shall register with the Secretary of State within fifteen (15) days  
5 after accepting contributions during a calendar year that exceed five hundred  
6 dollars (\$500) in the aggregate.

7 (B) Registration shall be annually renewed by January 15,  
8 unless the committee has ceased to exist.

9 (C) Registration shall be on forms provided by the  
10 Secretary of State, and the contents therein shall be verified by an  
11 affidavit of an officer of the committee.

12 (2)(A) The committee shall maintain for a period of four (4)  
13 years records evidencing the name, address, and place of employment of each  
14 person that contributed to the committee, along with the amount contributed.

15 (B) Furthermore, the committee shall maintain for a period  
16 of four (4) years records evidencing the name and address of each candidate  
17 who received a contribution from the committee, along with the amount  
18 contributed.

19 (3)(A) The committee shall ~~appoint a treasurer who is a~~  
20 ~~qualified elector of~~ designate a resident agent who shall be an individual  
21 who resides in this state.

22 (B) No contribution shall be accepted from a committee and  
23 no expenditure shall be made by a committee that has not registered and does  
24 not have a treasurer.

25 (4)(A) An out-of-state committee, including a federal committee,  
26 shall be required to comply with the registration and reporting provisions of  
27 this section, ~~including the appointment of a treasurer who is a qualified~~  
28 ~~elector of this state and the establishment of an account in a depository~~  
29 ~~within this state,~~ if the committee contributes more than five hundred  
30 dollars (\$500) in a calendar year to candidates, ballot question committees,  
31 legislative question committees, political parties, county political party  
32 committees, independent expenditure committees, or other political action  
33 committees within this state.

34 (B) Subdivision (a)(4)(A) of this section shall not apply  
35 to:

36 (i) The national committee of any political party

1 that is registered with the Federal Election Commission;

2 (ii) Any federal candidate committee that is  
3 registered with the Federal Election Commission;

4 (iii) Funds which a subordinate committee of the  
5 national committee of any political party that is registered with the Federal  
6 Election Commission transfers to the federal account of an organized  
7 political party as defined under § 7-1-101; or

8 (iv) Funds which a political action committee that  
9 is registered with the Federal Election Commission transfers to the federal  
10 account of an organized political party as defined under § 7-1-101.

11 (b) ~~The approved political action committee shall disclose on the~~  
12 registration form of an approved political action committee shall contain the  
13 following information:

14 (1) The name, address, and, where available, phone number of the  
15 committee and the name, address, phone number, and place of employment of  
16 each of its officers, provided if the committee's name is an acronym, then  
17 both it and the words forming the acronym shall be disclosed;

18 (2) The professional, business, trade, labor, or other interests  
19 represented by the committee, including any individual business,  
20 organization, association, corporation, labor organization, or other group or  
21 firm whose interests will be represented by the committee;

22 (3) [Repealed.]

23 (4) The full name and street address, city, state, and zip code  
24 ~~of the each financial institution in this state that the committee designates~~  
25 ~~as its official depository for the purposes of depositing all money~~  
26 ~~contributions that it receives in this state and making all expenditures in~~  
27 ~~this state the committee uses for purposes of receiving contributions or~~  
28 making expenditures within this state; and

29 (5) A written acceptance of ~~appointment by the treasurer~~  
30 designation as a resident agent;

31 (6) A certification by a committee officer, under penalty of  
32 false swearing, that the information provided on the registration is true and  
33 correct; and

34 (7) A clause submitting the committee to the jurisdiction of the  
35 State of Arkansas for all purposes related to compliance with the provisions  
36 of this subchapter.

1           (c)(1) When a committee makes a change to any of information required  
2 in subsection (b) of this section, an amendment shall be filed within ten  
3 (10) days to reflect the change.

4           (2) A committee failing to file an amendment shall be subject to  
5 a late filing fee of ten dollars (\$10.00) for each day the change is not  
6 filed.

7           ~~(e)~~(d)(1) Within fifteen (15) calendar days after the end of each  
8 calendar quarter, political action committees shall file a quarterly report  
9 with the Secretary of State, including the following information:

10                   (A) The total amount of contributions received and the  
11 total amount of contributions made during the filing period and the  
12 cumulative amount of those totals;

13                   (B) The current balance of committee funds;

14                   (C) The name and address of each person that made a  
15 contribution or contributions to the committee that exceeded five hundred  
16 dollars (\$500) in the aggregate, the contributor's place of business,  
17 employer, occupation, the date of the contribution, the amount contributed,  
18 and the total contributed for the year;

19                   (D) The name and address of each candidate or committee,  
20 if any, to whom or which the committee made a contribution or contributions  
21 that exceeded fifty dollars (\$50.00) in the aggregate during the filing  
22 period, with the amount contributed and the election for which the  
23 contribution was made;

24                   (E) The name and address of each candidate or committee,  
25 if any, to whom or which the committee contributed a nonmoney item, together  
26 with a description of the item, the date the item was contributed, and the  
27 value of the item; and

28                   ~~(E)~~(F) The total amount of expenditures made for  
29 administrative expenses and for each single expenditure that exceeds one  
30 hundred dollars (\$100) an itemization including the amount of the  
31 expenditure, the name and address of the person to which the expenditure was  
32 made, and the date the expenditure was made; ~~and.~~

33                   (2) The information required in subdivision (d)(1)(C)-(F) of  
34 this section may be provided in the form of schedules attached to the report.

35                   ~~(F)~~ Any change in information required in subsection (b);

36                   ~~(2)~~(3) The reports shall be verified by an affidavit of an

1 officer of the committee stating that to the best of his or her knowledge and  
2 belief the information so disclosed is a complete, true, and accurate  
3 financial statement of the committee's contributions received and made.

4 ~~(3)~~(4)(A) A report is timely filed if it is either hand  
5 delivered or mailed to the Secretary of State, properly addressed, postage  
6 prepaid, bearing a postmark indicating that it was received by the post  
7 office or common carrier on the date that the report is due.

8 (B) The Secretary of State shall accept via facsimile any  
9 report if the original is received by the Secretary of State within ten (10)  
10 days of the date of transmission.

11 (C) The Secretary of State may receive reports in a  
12 readable electronic format that is acceptable to the Secretary of State and  
13 approved by the Arkansas Ethics Commission.

14  
15 SECTION 9. Arkansas Code § 7-6-216(d), concerning registration and  
16 reports by exploratory committees and resulting from Initiated Act 1 of 1990,  
17 is amended to read as follows:

18 (d)(1) The first report shall be filed for the month in which the  
19 committee files its registration. The final report shall be filed within  
20 thirty (30) days after the end of the month in which the committee either  
21 transfers its contributions to a candidate's campaign or no longer accepts  
22 contributions.

23 (2) The committee shall not accept contributions after the  
24 filing of a final report.

25  
26 SECTION 10. Arkansas Code § 7-6-218(b)(4)(B)(i), concerning fines  
27 imposed by the Arkansas Ethics Commission for violations of Arkansas law and  
28 resulting from Initiated Act 1 of 1990, is amended to read as follows:

29 (B)(i) Notwithstanding the provisions of §§ 7-6-202, 7-9-  
30 409, 21-8-403, and 21-8-903, impose a fine of not less than ~~twenty-five~~  
31 ~~dollars (\$25.00)~~ fifty dollars (\$50.00) nor more than ~~one thousand dollars~~  
32 ~~(\$1,000)~~ two thousand dollars (\$2,000) for negligent or intentional violation  
33 of this subchapter or § 21-8-301 et seq., § 21-8-401 et seq., ~~§ 21-8-501 et~~  
34 ~~seq.~~, § 21-8-601 et seq., § 21-8-701 et seq., § 21-8-801 et seq., and § 21-8-  
35 901 et seq.

36

1 SECTION 11. Arkansas Code § 7-6-222, resulting from Initiated Act 1 of  
2 1996, is amended to read as follows:

3 7-6-222. Tax credits for certain individual political contributions.

4 (a) Pursuant to regulations to be adopted by the Department of Finance  
5 and Administration, a credit against individual Arkansas income taxes shall  
6 be allowed for money contributions made by the taxpayer in a taxable year to  
7 one (1) or more of the following:

8 (1) A candidate seeking nomination or election to a public  
9 office at an election or to the candidate's campaign committee;

10 ~~(2) A small donor political action committee as defined in § 7-~~  
11 ~~6-201;~~

12 ~~(3)~~(2) An approved political action committee as defined in § 7-  
13 6-201; or

14 ~~(4)~~(3) An organized political party as defined in § 7-1-101.

15 (b) The credit allowed by subsection (a) of this section shall be the  
16 aggregate contributions, not to exceed fifty dollars (\$50.00) on an  
17 individual tax return, or the aggregate contributions, not to exceed one  
18 hundred dollars (\$100) on a joint return.

19 (c) Credits for contributions qualifying under this section and made  
20 prior to April 15 in a calendar year may be applied to the return filed for  
21 the previous taxable year.

22  
23 SECTION 12. Arkansas Code § 7-6-226(c), concerning quarterly reports  
24 filed by county political party committees, is amended to read as follows:

25 (c)(1) Within fifteen (15) calendar days after the end of each  
26 calendar quarter, county political party committees shall file a quarterly  
27 report with the Secretary of State, including the following information:

28 (A) The total amount of contributions received and the  
29 total amount of contributions made during the filing period and the  
30 cumulative amount of those totals;

31 (B) The current balance of committee funds;

32 (C) The name and address of each person that made a  
33 contribution or contributions to the committee that exceeded five hundred  
34 dollars (\$500) in the aggregate, the contributor's place of business,  
35 employer, or occupation, the date of the contribution, the amount  
36 contributed, and the total contributed for the year;

1 (D) The name and address of each candidate or committee,  
2 if any, to whom or which the committee made a contribution or contributions  
3 that exceeded fifty dollars (\$50.00) in the aggregate during the filing  
4 period, with the amount contributed and the election for which the  
5 contribution was made;

6 (E) The name and address of each candidate or committee,  
7 if any, to whom or which the committee contributed a nonmoney item, together  
8 with a description of the item, the date the item was contributed, and the  
9 value of the item;

10 ~~(E)~~(F) The total amount of expenditures made for  
11 administrative expenses and for each single expenditure that exceeds one  
12 hundred dollars (\$100) an itemization including the amount of the  
13 expenditure, the name and address of the person to which the expenditure was  
14 made, and the date the expenditure was made; and

15 ~~(F)~~(G) Any change in the information required by  
16 subsection (b) of this section.

17 (2) The reports shall be verified by an affidavit of an officer  
18 of the committee stating that to the best of his or her knowledge and belief  
19 the information disclosed is a complete, true, and accurate financial  
20 statement of the committee's contributions received and made.

21 (3)(A) A report is timely filed if it is either hand delivered  
22 or mailed to the Secretary of State, properly addressed, postage prepaid,  
23 bearing a postmark indicating that it was received by the post office or  
24 common carrier on the date that the report is due.

25 (B) The Secretary of State shall accept via facsimile any  
26 report if the original is received by the Secretary of State within ten (10)  
27 days of the date of transmission.

28 (C) The Secretary of State may receive reports in a  
29 readable electronic format acceptable to the Secretary of State and approved  
30 by the Arkansas Ethics Commission.

31  
32 SECTION 13. Arkansas Code § 7-9-404(c), concerning changes of  
33 information in statements of organization, is amended to read as follows:

34 (c) When any of the information required in a statement of  
35 organization is changed, an amendment shall be filed within ten (10) days to  
36 reflect the change, except that changes in individual membership may be filed

1 when the next ~~campaign statement~~ financial report is required. A committee  
2 failing to file a change as required ~~shall pay a late filing fee of ten~~  
3 ~~dollars (\$10.00)~~ shall be subject to a late filing fee not exceeding ten  
4 dollars (\$10.00) for each day the change remains not filed.

5 (d) Upon dissolution, a ballot question committee or a legislative  
6 question committee shall so notify the commission in writing. Any remaining  
7 funds on hand at the time of dissolution shall be turned over to either:

8 (1) The Treasurer of State for the benefit of the General  
9 Revenue Fund Account of the State Apportionment Fund;

10 (2) An organized political party as defined in § 7-1-101 or a  
11 political party caucus of the General Assembly, the Senate, or House of  
12 Representatives;

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

15 (4) The contributors to the ballot or legislative question  
16 committee.

17  
18 SECTION 14. Arkansas Code § 7-9-406 is amended to read as follows:  
19 7-9-406. Financial reports - Requirement.

20 (a) A ballot question committee or legislative question committee  
21 which either receives contributions or makes expenditures in excess of five  
22 hundred dollars (\$500) for the purpose of expressly advocating the  
23 qualification, disqualification, passage, or defeat of a ballot question or  
24 the passage or defeat of a legislative question shall file with the Arkansas  
25 Ethics Commission financial reports as required by ~~§ 7-9-407~~ §§ 7-9-407 - 7-  
26 9-409.

27 (b) An individual person who on his or her own behalf expends in  
28 excess of five hundred dollars (\$500), excluding contributions, for the  
29 purpose of expressly advocating the qualification, disqualification, passage,  
30 or defeat of a ballot question or the passage or defeat of a legislative  
31 question shall file with the commission financial reports as required by ~~§~~  
32 ~~7-9-407~~ §§ 7-9-407 - 7-9-409.

33 (c) A public servant or governmental body expending public funds in  
34 excess of five hundred dollars (\$500) for the purpose of expressly advocating  
35 the qualification, disqualification, passage, or defeat of a ballot question  
36 or the passage or defeat of a legislative question shall file with the

1 commission financial reports as required by ~~§ 7-9-407~~ §§ 7-9-407 – 7-9-409.

2 (d) ~~Any~~ Except as provided in subsection (f) of this section, any  
3 report required by this subchapter shall be deemed timely filed if it is:

4 (1) Hand-delivered to the commission on or before the date due;

5 (2) Mailed to the commission, properly addressed, postage  
6 prepaid, bearing a postmark indicating that it was received by the post  
7 office or common carrier on or before the date due;

8 (3) Received via facsimile by the commission on or before the  
9 date due, provided that the original is received by the commission within ten  
10 (10) days of the transmission; or

11 (4) Received by the commission in a readable electronic format  
12 which is approved by the commission.

13 (e) Whenever a report under this subchapter becomes due on a day which  
14 is a Saturday, Sunday, or legal holiday, the report shall be due the next day  
15 which is not a Saturday, Sunday, or legal holiday.

16 (f) A preelection report is timely filed if it is received by the  
17 commission no later than seven (7) days prior to the election for which it is  
18 filed.

19  
20 SECTION 15. Arkansas Code § 7-9-410 is amended to read as follows:

21 7-9-410. Public inspection - Record retention.

22 (a) All statements of organization and financial reports required by  
23 this subchapter shall be open to public inspection at the office of the  
24 Arkansas Ethics Commission during regular office hours.

25 (b) All records supporting the reports filed under this subchapter  
26 shall be:

27 (1) Made available to the Arkansas Ethics Commission; and

28 (2) ~~retained~~ Retained by the filer for a period of four (4)  
29 years after the date of filing the report.

30  
31 SECTION 16. Arkansas Code § 21-8-304(a), concerning the use of  
32 official positions to secure special privileges, is amended to read as  
33 follows:

34 (a) No public official or state employee shall use or attempt to use  
35 his or her official position to secure special privileges or ~~exemption~~  
36 exemptions for himself or herself or his or her spouse, child, parents, or

1 other persons standing in the first degree of relationship, or for those with  
2 whom he or she has a substantial financial relationship that ~~is~~ are not  
3 available to others except as may be otherwise provided by law.  
4

5 SECTION 17. Arkansas Code § 21-8-701(d), concerning statements of  
6 financial interest and resulting from Initiated Act 1 of 1988, is amended to  
7 read as follows:

8 (d) The statement of financial interest shall include the following:

9 (1) The name of the public servant or candidate and his or her  
10 spouse and all names under which they do business;

11 (2) The reasons for filing the statement of financial interest;

12 (3)(A) Identification of each employer and of each other source  
13 of gross income amounting to more than one thousand dollars (\$1,000) annually  
14 received by the person or his or her spouse in their own names, or by any  
15 other person for the use or benefit of the public servant or candidate or his  
16 or her spouse, and a brief description of the nature of the services for  
17 which the compensation was received, except that this subdivision (d)(3)  
18 shall not be construed to require the disclosure of individual items of  
19 income that constitute a portion of the gross income of the business or  
20 profession from which the public servant or candidate or his or her spouse  
21 derives income; and

22 (B) In addition thereto, identification of each source of  
23 gross income as described above of more than twelve thousand five hundred  
24 dollars (\$12,500), except that this shall not be construed to require the  
25 disclosure of individual items of income that constitute a portion of the  
26 gross income of the business or profession from which the public servant or  
27 candidate or his or her spouse derives income;

28 (4)(A) The name of every business in which the public servant or  
29 candidate and his or her spouse, or any other person for the use or benefit  
30 of the public servant or candidate or his or her spouse, have an investment  
31 or holdings of over one thousand dollars (\$1,000) at fair market value as of  
32 the last day of the previous calendar year; and

33 (B) In addition thereto, identification of each source as  
34 described above which has a fair market value of over twelve thousand five  
35 hundred dollars (\$12,500) as of the last day of the previous calendar year;

36 (5) Every office or directorship held by the public servant or

1 candidate or his or her spouse in any business, corporation, firm, or  
2 enterprise subject to jurisdiction of a regulatory agency of this state or of  
3 any of its political subdivisions;

4 (6)(A) The name and address of each creditor to whom the value  
5 of five thousand dollars (\$5,000) or more was personally owed or personally  
6 obligated and is still outstanding by the public servant or candidate.

7 (B)(i) Loans made in the ordinary course of business by  
8 either a financial institution or a person who regularly and customarily  
9 extends credit shall not be required to be disclosed.

10 (ii) Debts owed to the members of the public  
11 servant's or candidate's family need not be included;

12 (7)(A) The name and address of each guarantor or co-maker, other  
13 than a member of the public servant's or candidate's family, who has  
14 guaranteed a debt of the public servant or candidate that is still  
15 outstanding.

16 (B)(i) This requirement shall be applicable only to debt  
17 guaranties for debts assumed or arising after January 1, 1989.

18 (ii) Guaranteed debts existing prior to January 1,  
19 1989, which are extended or refinanced shall become subject to disclosure in  
20 the annual financing statement due to be filed after the conclusion of the  
21 year in which such extension or refinancing occurred;

22 (8) The source, date, description, and a reasonable estimate of  
23 the fair market value of each gift of more than one hundred dollars (\$100)  
24 received by the public servant or candidate or his or her spouse or more than  
25 two hundred fifty dollars (\$250) received by his or her dependent children;

26 (9) Each monetary or other award of more than one hundred  
27 dollars (\$100) received by the public servant or candidate in his or her  
28 capacity as an employee of a public school district, the Arkansas School for  
29 the Blind, the Arkansas School for the Deaf, the ~~Arkansas School for~~  
30 ~~Mathematics and Science~~ Arkansas School for Mathematics, Sciences, and the  
31 Arts, a university, a college, a technical college, a technical institute, a  
32 comprehensive life-long learning center, or a community college in  
33 recognition of his or her contribution to education;

34 (10) Each nongovernmental source of payment of the public  
35 servant's expenses for food, lodging, or travel which bears a relationship to  
36 the public servant's office when the public servant is appearing in his or

1 her official capacity when the expenses incurred exceed one hundred fifty  
2 dollars (\$150). The public servant shall identify the name and business  
3 address of the person or organization paying the public servant's expenses  
4 and the date, ~~and nature,~~ and amount of that expenditure if not compensated  
5 by the entity for which the public servant serves;

6 (11) Any public servant who is employed by any business which is  
7 under direct regulation or subject to direct control by the governmental body  
8 which he or she serves shall set out this employment and the fact that the  
9 business is regulated by or subject to control of the governmental body on  
10 the statement of financial interest; and

11 (12) If a public servant or any business in which he or she or  
12 his or her spouse is an officer, director, stockholder owning more than ten  
13 percent (10%) of the stock of the company, and the owner, trustee, or partner  
14 shall sell any goods or services having a total annual value in excess of one  
15 thousand dollars (\$1,000) to the governmental body in which the public  
16 servant serves or is employed, then the public servant shall set out in  
17 detail the goods or services sold, the governmental body to which they were  
18 sold, and the compensation paid for each category of goods or services sold.

19  
20 /s/ Faris  
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