

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Senator J. Dismang

A Bill

SENATE BILL 804

For An Act To Be Entitled

8 AN ACT REQUIRING DISCLOSURE OF POLITICAL
9 CONTRIBUTIONS BY PERSONS AWARDED CERTAIN STATE
10 CONTRACTS; AND FOR OTHER PURPOSES.

Subtitle

14 REQUIRING DISCLOSURE OF POLITICAL
15 CONTRIBUTIONS BY PERSONS AWARDED CERTAIN
16 STATE CONTRACTS.

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

21 SECTION 1. Arkansas Code Title 21, Chapter 8 is amended to add an
22 additional subchapter to read as follows:

23 21-8-1101. Definitions.

24 As used in this subchapter:

25 (1) "Person" means a business, individual, corporation, union,
26 association, firm, partnership, committee, club, or other organization or
27 group of persons; and

28 (2) "State contract" means a state agreement, regardless of what
29 it may be called, for the purchase of commodities and services and for the
30 disposal of surplus commodities and services not otherwise exempt.

31
32 21-8-1102. Reports by persons awarded state contracts.

33 (a) A person awarded a state contract of fifty thousand dollars
34 (\$50,000) or more shall file a report under this section with the Secretary
35 of State.

36 (b) The report shall include:



1 (1) An itemization, including without limitation the recipient,
2 of political contributions that, in the aggregate, exceed fifty dollars
3 (\$50.00) made by:

4 (A) The person;

5 (B) An employee of the person; and

6 (C) A business entity in which the person has a common
7 ownership interest of fifty percent (50%) or more; and

8 (2) The total amount of political contributions made by the
9 person.

10 (c)(1)(A) The report shall be filed annually no earlier than January 1
11 and no later than January 31 of each year.

12 (B) The annual report under subdivision (c)(1)(A) of this
13 section shall contain the information under subdivision (b)(1) of this
14 section for the preceding calendar year.

15 (2)(A) In addition to the annual report under subdivision (c)(1)
16 of this section, a person shall file a report no later than thirty (30) days
17 after the award of a state contract.

18 (B) A report filed no later than thirty (30) days after
19 the award of a state contract shall contain the information under subdivision
20 (b)(1) of this section for:

21 (i) The calendar year that the state contract is
22 awarded; and

23 (ii) The calendar year preceding the year that the
24 state contract is awarded.

25 (d)(1) A person with more than one (1) state contract may file a
26 single annual report representing each of the person's state contracts.

27 (2) However, a person shall file a report no later than thirty
28 (30) days after the award of a state contract regardless of whether the
29 person has more than one (1) state contract.

30 (3) A person filing an annual report under this section shall
31 report information under subdivision (b)(1) of this section only from the
32 date of execution of the contract if:

33 (A) The person was awarded the state contract in the
34 preceding year; and

35 (B) The person:

36 (i) Has one (1) state contract; or

1 (ii) All of the person's state contracts were
2 executed in the preceding year.

3 (e)(1) A report required by this section shall be filed with the
4 Secretary of State in electronic form through the Internet.

5 (2) The Secretary of State shall provide a form to be filed
6 that:

7 (A) Is to be signed by the person under penalty of perjury
8 under § 5-53-102; and

9 (B) Certifies that the report is accurate.

10
11 21-8-1103. Penalty.

12 A person shall be guilty of a Class A misdemeanor if the person
13 knowingly:

14 (1) Fails to comply with any provision of this subchapter;

15 (2) Makes a false statement on a report required by this
16 subchapter; or

17 (3) Omits information from a report required by this subchapter.