

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: H1/11/17

A Bill

HOUSE BILL 1012

5 By: Representatives Sabin, Tucker, V. Flowers, D. Ferguson, Leding, D. Whitaker
6 By: Senators Elliott, L. Chesterfield, U. Lindsey, Maloch, E. Cheatham, S. Flowers
7

For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS CONCERNING POLITICAL
10 ACTION COMMITTEE CONTRIBUTIONS; TO PROHIBIT DIRECT
11 CONTRIBUTIONS FROM POLITICAL ACTION COMMITTEES TO
12 CANDIDATES; TO AMEND ARTICLE 19, SECTION 28, OF THE
13 ARKANSAS CONSTITUTION; TO AMEND PROVISIONS OF
14 ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1990
15 AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.
16

Subtitle

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18 TO AMEND PROVISIONS CONCERNING POLITICAL
19 ACTION COMMITTEES; AND TO PROHIBIT DIRECT
20 CONTRIBUTIONS FROM POLITICAL ACTION
21 COMMITTEES TO CANDIDATES.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Constitution, Article 19, § 28 (a) and (b),
28 concerning contributions, is amended to read as follows:

29 (a)(1) It is unlawful for a candidate for public office or a person
30 acting on the candidate's behalf to:

31 (A) Accept a contribution from other than:

32 (i) An individual;

33 (ii) A political party that meets the definition of
34 a political party under Arkansas Code § 7-1-101;

35 (iii) A political party that meets the requirements
36 of Arkansas Code § 7-7-205;



- 1 (iv) A county political party committee; or
 2 (v) A legislative caucus committee; ~~or~~
 3 ~~(vi) An approved political action committee; or~~
 4 (B) Accept a contribution in excess of the maximum amount
 5 allowed by law per election from:
 6 (i) An individual;
 7 (ii) A political party that meets the definition of
 8 a political party under Arkansas Code § 7-1-101;
 9 (iii) A political party that meets the requirements
 10 of Arkansas Code § 7-7-205;
 11 (iv) A county political party committee; or
 12 (v) A legislative caucus committee; or
 13 ~~(vi) An approved political action committee.~~
 14 (C) Accept a contribution from an approved or prohibited
 15 political action committee.

16 (2) A candidate may accept a contribution or contributions up to
 17 the maximum amount allowed by law from a prospective contributor for each
 18 election, whether opposed or unopposed.

19 (b)(1) It is unlawful for an individual, a political party that meets
 20 the definition of a political party under Arkansas Code § 7-1-101, a
 21 political party that meets the requirements of Arkansas Code § 7-7-205, a
 22 county political party committee, a legislative caucus committee, or an
 23 approved political action committee to make a contribution to a candidate for
 24 public office, or to a person acting on the candidate's behalf, that in the
 25 aggregate exceeds the maximum amount allowed by law.

26 (2) The following entities may make a contribution or
 27 contributions up to the maximum amount allowed by law to a candidate, whether
 28 opposed or unopposed, for each election:

- 29 (A) An individual;
 30 (B) A political party that meets the definition of a
 31 political party under Arkansas Code § 7-1-101;
 32 (C) A political party that meets the requirements of
 33 Arkansas Code § 7-7-205;
 34 (D) A county political party committee; or
 35 (E) A legislative caucus committee; ~~or~~ .
 36 ~~(F) An approved political action committee.~~

1 SECTION 2. Arkansas Constitution, Article 19, § 28 (c)(1)(A),
2 concerning contributions, is amended to read as follows:

3 (1)(A) "Approved political action committee" means any person
4 that:

5 (i) Receives contributions from one (1) or more
6 persons in order to make contributions to a ~~candidate~~, ballot question
7 committee, legislative question committee, political party, county political
8 party committee, or other political action committee;

9 (ii) Does not accept any contribution or cumulative
10 contributions in excess of five thousand dollars (\$5,000) from any person in
11 any calendar year; and

12 (iii) Registers pursuant to Arkansas Code § 7-6-215
13 prior to making contributions.

14
15 SECTION 3. Arkansas Code § 7-6-201(1)(A), concerning campaign
16 financing definitions and resulting from Initiated Act 1 of 1990 and
17 Initiated Act 1 from 1996, is amended to read as follows:

18 (1)(A) "Approved political action committee" means any person
19 that:

20 (i) Receives contributions from one (1) or more
21 persons in order to make contributions to ~~candidates~~, ballot question
22 committees, legislative question committees, political parties, county
23 political party committees, or other political action committees;

24 (ii) Does not accept any contribution or cumulative
25 contributions in excess of five thousand dollars (\$5,000) from any person in
26 any calendar year; and

27 (iii) Registers pursuant to § 7-6-215 prior to
28 making contributions.

29
30 SECTION 4. Arkansas Code § 7-6-201(15)(A), concerning campaign
31 financing contributions and resulting from Initiated Act 1 of 1990 and
32 Initiated Act 1 from 1996, is amended to read as follows:

33 (15)(A) "Prohibited political action committee" means any person
34 that receives contributions from one (1) or more persons in order to make
35 contributions to ~~candidates~~, ballot question committees, legislative question
36 committees, political parties, county political party committees, or other

1 political action committees but that does not meet the requirements of an
2 approved political action committee.

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4 SECTION 5. Arkansas Code § 7-6-203(a)-(d), concerning contributions,
5 limitations, acceptance or solicitation, use as personal income, and
6 disposition and resulting from Initiated Act 1 of 1990 and Initiated Act 1
7 from 1996, is amended to read as follows:

8 (a)(1)(A) It shall be unlawful for any candidate for any public office
9 or for any person acting on the candidate's behalf to accept campaign
10 contributions in excess of two thousand seven hundred dollars (\$2,700) per
11 election from:

12 (i) An individual;

13 (ii) A political party that meets the definition of
14 a political party under § 7-1-101;

15 (iii) A political party that meets the requirements
16 of § 7-7-205;

17 (iv) A county political party committee; or

18 (v) A legislative caucus committee; ~~or~~ .

19 ~~(vi) An approved political action committee.~~

20 (B) It shall be unlawful for a candidate for a public
21 office or for any person acting on the candidate's behalf to accept a
22 campaign contribution from a prospective contributor other than those under
23 subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section.

24 (2) A candidate may accept a campaign contribution or
25 contributions up to the maximum amount from any prospective contributor under
26 subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section for each election, whether
27 opposed or unopposed.

28 (b)(1) It shall be unlawful for any person permitted to make a
29 contribution under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section to make
30 a contribution to a candidate for any public office or to any person acting
31 on the candidate's behalf, which in the aggregate exceeds two thousand seven
32 hundred dollars (\$2,700) per election.

33 (2) A person permitted to make a contribution or contributions
34 under subdivisions (a)(1)(A)(i)-~~(vi)~~(v) of this section may make a
35 contribution or contributions up to the maximum amount to a candidate for
36 each election, whether opposed or unopposed.

1 (c) The limitation shall not apply to loans made by a candidate from
2 his or her own personal funds to the campaign, contributions made by a
3 candidate from his or her personal funds to the campaign, or to personal
4 loans made by financial institutions to the candidate and applied to his or
5 her campaign.

6 (d)(1) It shall be unlawful for any candidate for any public office or
7 any person acting in the candidate's behalf to accept any contribution from
8 an approved political action committee or a prohibited political action
9 committee for any election.

10 (2) It shall be unlawful for any approved political action
11 committee or prohibited political action committee to make a contribution to
12 a candidate for public office in an election.

13 (3) It shall be unlawful for any ballot question committee,
14 legislative question committee, political party, county political party
15 committee, or approved political action committee to accept any contribution
16 from a prohibited political action committee.

17 (4) It shall be unlawful for any prohibited political action
18 committee to make a contribution to:

19 (A) A ballot question committee;

20 (B) A legislative question committee;

21 (C) A political party;

22 (D) A county political party committee; ~~or~~

23 (E) An approved political action committee; ~~or~~

24 (F) A candidate for public office in an election.

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26 SECTION 6. Arkansas Code § 7-6-215(a)(4)(A), concerning registration
27 and reporting by approved political action committees and resulting from
28 Initiated Act 1 of 1990 and Initiated Act 1 from 1996, is amended to read as
29 follows:

30 (4)(A) An out-of-state political action committee, including a
31 federal political action committee, shall be required to comply with the
32 registration and reporting provisions of this section if the committee
33 contributes more than five hundred dollars (\$500) in a calendar year to
34 ~~candidates,~~ ballot question committees, legislative question committees,
35 political parties, county political party committees, or other political
36 action committees within this state.

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