

1 State of Arkansas *As Engrossed: H1/11/17 H2/22/17 S3/8/17*

2 91st General Assembly

A Bill

3 Regular Session, 2017

HOUSE BILL 1010

4

5 By: Representatives Sabin, Tucker, V. Flowers, D. Ferguson, Leding, D. Whitaker, *Della Rosa*

6 By: Senators Elliott, L. Chesterfield, U. Lindsey, Maloch, E. Cheatham, S. Flowers

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8

For An Act To Be Entitled

9 *AN ACT TO AMEND THE LAW CONCERNING THE FILING AND*
10 *PUBLICATION OF CERTAIN CAMPAIGN FINANCE REPORTS; TO*
11 *AMEND PORTIONS OF LAW RESULTING FROM INITIATED ACT 1*
12 *OF 1990 AND INITIATED ACT 1 OF 1996; AND FOR OTHER*
13 *PURPOSES.*

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Subtitle

17 *TO AMEND THE LAW CONCERNING THE FILING*
18 *AND PUBLICATION OF CERTAIN CAMPAIGN*
19 *FINANCE REPORTS; AND TO AMEND PORTIONS OF*
20 *LAW RESULTING FROM INITIATED ACT 1 OF*
21 *1990 AND INITIATED ACT 1 OF 1996.*

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23

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

25

26 *SECTION 1. Arkansas Code § 7-6-214 is amended to read as follows:*

27 *7-6-214. Publication of reports.*

28 *(a)(1) Upon proper filing, the information required in §§ 7-6-203 ~~and~~,*
29 *7-6-207 – 7-6-210, 7-6-215, 7-6-216, and 7-6-220 shall constitute a public*
30 *record and shall be available within twenty-four (24) hours of the reporting*
31 *deadline to all interested persons and the news media.*

32 *(2) The Secretary of State is the official custodian of the*
33 *records that are required to be:*

34 *(A) Filed with the Secretary of State; and*

35 *(B) Maintained under §§ 7-6-203 ~~and~~, 7-6-207 – 7-6-210, 7-*
36 *6-215, 7-6-216, and 7-6-220.*



1 (b) The Secretary of State shall post on his or her official website
2 reports of contributions required ~~in~~ under §§ 7-6-203 and, 7-6-207 – 7-6-210
3 ~~on his or her official website, 7-6-215, 7-6-216, and 7-6-220.~~

4
5 SECTION 2. Arkansas Code § 7-6-215(d)(5), concerning registration and
6 reporting by approved political action committees and resulting from
7 Initiated Act 1 of 1990, is amended to read as follows:

8 (5)(A) A report is timely filed if it is:

9 ~~(i) Delivered by hand or mailed to the Secretary of~~
10 ~~State, properly addressed, postage prepaid, and bearing a postmark indicating~~
11 ~~that it was received by the post office or common carrier on or before the~~
12 ~~date that the report is due if the report is filed in paper form; or~~

13 ~~(ii) Filed~~ filed in electronic form through the
14 official website of the Secretary of State on or before the date that the
15 report is due if the Secretary of State offers electronic filing of political
16 action committee reports.

17 ~~(B) The Secretary of State shall accept via facsimile any~~
18 ~~report filed in paper form if the original is received by the Secretary of~~
19 ~~State within ten (10) days of the date of transmission.~~

20 ~~(G)(B)(i)~~ The Secretary of State may shall receive reports
21 in a readable electronic format that is acceptable to the Secretary of State
22 and approved by the Arkansas Ethics Commission.

23 (ii) The Arkansas Ethics Commission shall approve
24 the format used by the Secretary of State for the filing of political action
25 committee reports in electronic form to ensure that all required information
26 is requested.

27 ~~(D) If the Secretary of State chooses to offer electronic~~
28 ~~filing of political action committee reports:~~

29 ~~(i) The Arkansas Ethics Commission shall approve a~~
30 ~~format used by the Secretary of State for the filing of political action~~
31 ~~committee reports in electronic form under this section to ensure that all~~
32 ~~required information is requested; and~~

33 ~~(ii)(iii)~~ The official website of the Secretary of
34 State shall allow for searches of political action committee report
35 information filed in electronic form.

36 (iv) A political action committee under this section

1 may file reports in paper form under this section if:

2 (a) The political action committee does not
3 have access to the technology necessary to submit reports in electronic form;
4 and

5 (b) Submitting reports in electronic form
6 would constitute a substantial hardship for the political action committee.

7
8 SECTION 3. Arkansas Code § 7-6-216(d), concerning registration and
9 reporting by exploratory committees and resulting from Initiated Act 1 of
10 1990, is amended to read as follows:

11 (d)(1)(A) The first report shall be filed for the month in which the
12 committee files its registration. The final report shall be filed within
13 thirty (30) days after the end of the month in which the committee either
14 transfers its contributions to a candidate's campaign or no longer accepts
15 contributions.

16 (B) The reports required by this section shall be filed in
17 electronic form through the official website of the Secretary of State.

18 (C) The Arkansas Ethics Commission shall approve the
19 format used by the Secretary of State for the filing of exploratory reports
20 in electronic form to ensure that all required information is requested.

21 (D) The official website of the Secretary of State shall
22 allow for searches of exploratory committee report information filed in
23 electronic form.

24 (2) An exploratory committee under this section may file reports
25 in paper form under this section if:

26 (A) The exploratory committee does not have access to the
27 technology necessary to submit reports in electronic form; and

28 (B) Submitting reports in electronic form would constitute
29 a substantial hardship for the exploratory committee.

30 ~~(2)(3)~~ (3) The committee shall not accept contributions after the
31 filing of a final report.

32
33 SECTION 4. Arkansas Code § 7-6-220(e), concerning reporting of
34 independent expenditures and resulting from Initiated Act 1 of 1996, is
35 amended to read as follows:

36 (e)(1) A report is timely filed if it is ~~either delivered by hand or~~

1 ~~mailed to the Secretary of State, properly addressed, postage prepaid,~~
2 ~~bearing a postmark indicating that it was received by the post office or~~
3 ~~common carrier filed in electronic form through the official website of the~~
4 ~~Secretary of State on or before the date that the report is due.~~

5 ~~(2) The Secretary of State shall accept via facsimile any~~
6 ~~report if the original is received by the Secretary of State within ten (10)~~
7 ~~days of the date of transmission.~~

8 ~~(3)(2)(A) The Secretary of State may shall receive reports~~
9 ~~in a readable electronic format that is acceptable to the Secretary of State~~
10 ~~and approved by the Arkansas Ethics Commission.~~

11 ~~(B) The Arkansas Ethics Commission shall approve the~~
12 ~~format used by the Secretary of State for the filing of independent~~
13 ~~expenditure reports in electronic form to ensure that all required~~
14 ~~information is requested.~~

15 ~~(C) The official website of the Secretary of State~~
16 ~~shall allow for searches of independent expenditure report information filed~~
17 ~~in electronic form.~~

18 ~~(3) A person or independent expenditure committee under this~~
19 ~~section may file reports in paper form under this section if:~~

20 ~~(A) The person or independent expenditure committee does~~
21 ~~not have access to the technology necessary to submit reports in electronic~~
22 ~~form; and~~

23 ~~(B) Submitting reports in electronic form would constitute~~
24 ~~a substantial hardship for the person or independent expenditure.~~

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26 SECTION 5. EFFECTIVE DATE. This act shall become effective on and
27 after January 1, 2018.

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29 /s/Sabin

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32 **APPROVED: 03/24/2017**