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Written Update on Progress in Rule Promulgation

Agency: The Arkansas Ethics Commission
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To: Administrative Rules Subcommittee

Re: Written Update, Pursuant to Ark. Code Ann. § 25-15-216(b)(4)

Date: December 1, 2025

Pursuant to Ark. Code Ann. § 25-15-216, as amended by Act 595 of 2021, the following is the monthly written update on the agency's progress in promulgating rules it has determined are required by law to the Legislative Council or its appropriate subcommittee until the final version of the new, amended, or repealed rule is filed for adoption with the Secretary of State.

Pursuant to Ark. Code Ann. § 25-15-216, staff reviewed the laws enacted by the 95th General Assembly in its Regular Session as of June 20, 2025, to determine whether any of the existing rules of the Arkansas Ethics Commission ("AEC") should be repealed or amended, or whether any new rule should be adopted. Having reviewed the laws and analyzed the effect of such laws on the rules of the AEC, the table on the following pages sets forth the results of such review, and provided below is the written update on the agency's progress in promulgating rules.

No new sets of rules are being promulgated. There is one set of rules, Title 7, Chapter I, Part 2 - Rules on Campaign Contribution Limits, that the AEC seeks to repeal. The AEC seeks to amend all of the other sets of Rules listed below in order to bring the rules into conformity with the changes to the Arkansas Code. They are as follows:

1. Title 7, Chapter I, Part 2 - Rules on Campaign Contribution Limit **TO BE REPEALED**
2. Title 7, Chapter I, Part 3 - Rules on Campaign Finance & Disclosure
3. Title 7, Chapter I, Part 5 - Rules on Political Committees
4. Title 7, Chapter I, Part 6 - Rules on Independent Expenditures
5. Title 7, Chapter I, Part 7 - Rules on Ballot and Legislative Question Committees

6. Title 19, Chapter IV, Part 25 - Rules on Special State Employees
7. Title 21, Chapter I, Part 2 - Rules on Conflicts

Each set of Rules has followed the same progress and timeline, as follows:

- Sine Die May 5, 2025
- Report, pursuant to Ark. Code Ann. § 25-15-216, submitted by staff to Commission June 20, 2025
- Submitted to the Bureau of Legislative Research for pre-review July 9, 2025
- Submitted to Commission for preliminary approval July 25, 2025
- Submitted to the Governor's office August 8, 2025, pursuant to Executive Order 23-02
- October monthly written Rules update submitted to the Rules Subcommittee October 1, 2025
- Staff attended the October 16, 2025, Rules Subcommittee meeting in the event a member had a question concerning the agency's October update
- November monthly written Rules update submitted to the Rules Subcommittee October 31, 2025
- Staff attended the November 20, 2025, Rules Subcommittee meeting in the event a member had a question concerning the agency's November update
- Currently waiting to hear from the Governor's office

| Arkansas Code Annotated | Act (Section) | Description | Sponsor(s) | AEC Rule(s) Affected | Code Of Arkansas Rules Citation |
|-------------------------|---------------|---|----------------------------------|--|---|
| § 7-6-207 | 250 (1) | Act 250 (1) changed the due date of the Final Contribution & Expenditure (C&E) report from the last day of the month, in the month after the election, to the 20 th day after the end of the month following the month of the election. Act 250 also deleted the former last day of the month due date for the final report. Approved: 3/6/25 | Rep. A. Collins & Sen. K. Hammer | Rules on Campaign Finance & Disclosure | 7 CAR § 3-137 (b)(2)(D) - "The monthly report shall be filed no later than twenty (20) days after the end of the month, except that the final report, covering the month... <u>general election is held shall be filed as required in subdivision (b)(4)(A) of this section.</u> |
| § 7-6-207 | 250 (2) | Act 250 (2) changed the due date of the Final C&E report from the last day of the month, in the month after the election, to the 20 th day after the end of the month following the month of the election. Approved: 3/6/25 | Rep. A. Collins & Sen. K. Hammer | Rules on Campaign Finance & Disclosure | 7 CAR § 3-137 (b)(4) "(4)(A) - No later than the last day of the month <u>twenty (20) days</u> after the end of the month <u>following the month</u> ... a final report of covering all contributions |

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| | | | | | received...previously required to be filed <u>through the month following the month during which a primary election, runoff election, general election, or special election is held.</u> |
| § 7-6-203 | 270 (1) | Act 270 (1) changed the word “level” to “limit” and deleted the phrase “rule of”. | Rep. Ray & Sen. J. Dotson | Rules on Campaign Finance & Disclosure | 7 CAR § 3-103 (h)(2)(A)(i) |
| § 7-6-203 | 270 (2) | Act 270 (2) deleted the phrase “rule of”. | Rep. Ray & Sen. J. Dotson | Rules on Campaign Finance & Disclosure | 7 CAR § 3-103 (h)(2)(A)(i) |
| § 7-6-203 | 270 (3) | Act 270 (3) removed the requirement that the AEC establish the campaign contribution limit via rule making. The Rules on Campaign Contribution Limit are no longer necessary or required by law, and the AEC should seek to repeal the rules. Likewise, it set out new guidelines for how the maximum contribution limit should be calculated and adjusted. EMERGENCY CLAUSE Approved: 3/12/25 | Rep. Ray & Sen. J. Dotson | Rules on Campaign Contribution Limit Rules on Campaign Finance & Disclosure | 7 CAR § 2-101-Definitions- 7 CAR § 2-102 - Contribution limit 7 CAR § 2-103- Adjustment of contribution limit *(TO BE REPEALED IN FULL) 7 CAR § 3-104(d)(1)- “The <u>maximum</u> campaign contribution limit shall be adjusted by the Arkansas Ethics Commission at the beginning of each odd-numbered year in an amount equal to the percentage certified to the Federal Election Commission by the Bureau of Labor Statistics of the United States <u>Department of United States Secretary of Labor</u> under 52 |

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| | | | | | U.S.C. § 30116(c) as existing on January 1, 2015 <u>2025</u> .” 7 CAR § 3-104(d)(2)- “The adjusted <u>maximum</u> campaign contribution limit shall be calculated from a base amount of two thousand dollars (\$2,000) as of <u>January 1, 2015</u> .” |
| § 21-8-304(d)(1) | 323 (1) | Act 323 (1) added a <u>NEW</u> prohibited activity for public servants. 1. No public employee shall provide advance notice of an inspection by a governmental body to any person, business, or entity subject to an inspection when the purpose of the disclosure is to improperly influence the outcome of the inspection. 2. This means knowingly communicates information, directly or indirectly, regarding the timing, scope, or details of an upcoming inspection with the intent to: (A) Alter/ manipulate conditions to evade detection of noncompliance or violations; (B) Provide unfair advantage to the inspected party; or (C) Otherwise interfere with the integrity or impartiality of the inspection process. | Rep. Unger, Rep. Lundstrum, Sen. J. Bryant | Rules on Conflicts | 21 CAR § 2-108-Advance Notice (NEW) |

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| | | <p>3. A violator shall be subject to disciplinary action, including suspension, termination, and any penalties provided by law.</p> <p>4. This does not prohibit: (A) Routine scheduling disclosures required by law; (B) Public safety notifications; or (C) Official communications necessary for the proper administration of inspections.</p> <p>Approved: 3/18/25</p> | | | |
| § 19-64-503 | 419 | <p>Act 419, which repealed parts of Title 19 (on pages 656-659 of the voluminous act), so what used to be Ark. Code Ann. § 19-11-718 is now “19-64-503”-Special state employees – Conflicts of interest – Definitions. Based upon this change, it appears that this will necessitate revision to the Rules on Special State Employees – Conflicts of Interest at 19 CAR § 25-104 and 19 CAR § 25-105</p> | Rep. M. Sheperd, Rep. Gazaway, Sen. C. Tucker, and Sen. J. Braynt | Rules on Special State Employees – Conflicts of Interest | <p>19 CAR § 25-104-Complaints. Revise subsection (a) as follows: “In accordance with Ark. Code Ann. § 7-6-218, a complaint alleging a violation of Ark. Code Ann. § 19-11-718 <u>19-64-503</u> may be filed with the Arkansas Ethics Commission.”</p> <p>19 CAR § 25-105. Penalties and removal. Revise subsection (a) as follows: “If the Arkansas Ethics Commission finds that a special state employee has committed a violation of Ark. Code Ann. § 19-11-718 <u>19-64-503</u>, then it may....”</p> |

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| | | | | | 19 CAR § 25-105- Penalties and removal. Revise subsection (c) as follows: “When exercising the authority set forth in subdivision (a)(5) of this section, the Arkansas Ethics Commission is not required to make a finding of a violation of Ark. Code Ann. § 19-11-718 <u>19-64-503.</u> ” |
| § 7-6-208(c) | 524 (1) | <p>Act 524 (1) moved the filing location for C&E reports for candidates for school district, township, or municipal office from the County Clerk to the Arkansas Secretary of State (SOS).</p> <p>Act 524 stated that the SOS shall:</p> <ul style="list-style-type: none"> - establish a filing system for reports; and - keep the filed reports for eight (8) years, then turn over the records to the State Archives. - Act 524 required that the C&E reports be filed in electronic format (“The SOS shall not accept paper filings under this subdivision”). <p>Act 524 provided that the SOS shall furnish to the AEC, no later than thirty (30) days after each filing deadline under this section, a</p> | Rep. Hawk, Rep. Underwood, and Sen. K. Hammer | Rules on Campaign Finance & Disclosure | 7 CAR § 3-140 Reports of contributions — Candidates for school district, township, or municipal office — Required reports and time for filing. |

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| | | report with the: (A) Names of all candidates who have filed for office; (B) Type of report filed by each candidate; and (C) Date received by the SOS. EMERGENCY CLAUSE Approved: 4/10/25 | | | |
| § 7-6-209(c) | 524 (2) | Act 524 (2) moved the filing location for C&E reports for county candidates from the county clerk to the SOS. Act 524 provided that the SOS shall: - establish an electronic filing system for county candidates; and - the reports shall be kept for eight (8) years; - The SOS shall NOT accept paper filings. EMERGENCY CLAUSE Approved: 4/10/25 | Rep. Hawk, Rep. Underwood, and Sen. K. Hammer | Rules on Campaign Finance & Disclosure | 7 CAR § 3-143- Reports of contributions - Candidates for county office - Required reports and time for filing (Act 524 moved the filing office for C&Es for county candidates to the SOS office). |
| § 7-6-203(a)(1) | 592 (1) | Act 592 (1) provided that it shall be unlawful for a prohibited contributor to make a contribution to a candidate for public office. This amendment adds a liability on the contributor to not give prohibited contributions. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-104 (b)(3) Contribution amounts. |
| § 7-6-203 (f)(4)(A)(iii) | 592 (2) | Act 592 (2) replaced the word “carryover” with “remaining campaign” funds, as originally intended in Act 737 of 2021. (If a candidate or officeholder is assessed a fine by the AEC for the use of campaign funds as personal | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-114- Payment of fines associated with campaign funds. * No change is necessary. This correction had already been previously made. |

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| | | income, a candidate or officeholder shall not use campaign funds or <u>remaining campaign funds</u> to pay the fine.) Approved: 4/14/25 | | | |
| §7-6-203 (g)(2)(E) | 592 (3) | Act 592 (3) replaced the word “carryover” with “remaining campaign funds”, as was intended in Act 737 of 2021, specifically, “(E) If a candidate or officeholder uses campaign funds or carryover <u>remaining campaign funds</u> to pay a fine imposed by the AEC ... shall be deemed to have taken campaign funds as personal income. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-114- Payment of fines associated with campaign. * No change is necessary. This correction had already been previously made. |
| § 7-6-206(a) | 592 (4) | Act 592 (4) clarified the list of entities that must keep records for period of four (4) years, as follows: a candidate, a person acting in the candidate's behalf, a political party, <u>a county political party committee, a political action committee, an independent expenditure committee, or a person making independent expenditures</u> shall keep records of all contributions and expenditures in a manner sufficient to evidence compliance with § 7-6-201 et seq. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-134 (a) Records of contributions and expenditures. (a) A candidate, a political party , or a person acting in the candidate's behalf, a political party, a county political party committee, a political action committee, an independent expenditure committee, or a person making independent expenditures shall keep records of all contributions and expenditures in a manner sufficient to evidence compliance with §§ 7-6-207— 21-7-6-210 <u>§ 7-6-201 et seq.</u> |

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| | | | | Rules on Independent Expenditures | Add new text to 7 CAR § 6-107 (c) - Records retention- “An independent expenditure committee or a person making independent expenditures shall keep records of all contributions and expenditures in a manner sufficient to evidence compliance with § 7-6-201 et seq.” |
| | | | | Rules on Political Committees | Add new text to 7 CAR § 5-111 (c) Records retention by political action committees and county political party committees. “A committee shall keep records of all contributions and expenditures in a manner sufficient to evidence compliance with § 7-6-201 et seq.” |
| § 7-6-207 (a)(1)(F) | 592 (5) | Act 592 (5) clarified that if a candidate keeps remaining campaign funds and <u>or</u> raises campaign funds for a future campaign, or expends campaign funds for office holder expenses or a future election, the candidate shall continue filing the reports required by this subsection. <u>If a candidate keeps</u> | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-129(a) Remaining campaign funds - Time frame for reporting expenditures. 7 CAR § 3-137 (b)(5)(B)(ii) & new (iii) Reports of contributions – Candidates for state or district office, including district |

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| | | <u>remaining campaign funds after an election, the candidate shall continue filing the reports required by this subsection.</u> Approved: 4/14/25 | | | judge – Required reports and time for filing. |
| § 7-6-207 (b)(2)(B) | 592 (6) | Act 592 (6) clarified that if a campaign has ended and the candidate is retaining remaining campaign funds, the final report shall indicate the amount of funds retained by the candidate <u>as remaining campaign funds.</u> Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-138- *No rule change needed. It already reads this way in the rules. |
| § 7-6-208 (b)(2)(A) | 592 (7) | Act 592 (7) updated the statute to reflect the term “remaining campaign funds.” Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-141- *No rule change may be needed. The CAR appears to already read this way. |
| § 7-6-209 (b)(2)(A) | 592 (8) | Act 592 (8) updated the statute addressing remaining campaign funds for county officials to reflect the term “remaining campaign funds.” Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-144 (b)(3) Contents of reports of contributions — Candidates for county office. Add text to (b)(3) at end of sentence: “If a candidate’s campaign has ended...the final report shall also indicate the amount of funds retained by the candidate <u>as remaining campaign funds.</u> ” |
| § 7-6-215(d)(6) | 592 (9) | Act 592 (9) removed the requirement that a PAC indicate on its 4 th quarter report whether or not it will re-register as a PAC for the following year. This change was necessary because PACs are no longer required to | Sen. J. Dismang and Rep. Eaves | Rules on Political Committees | 7 CAR § 5-103- Reporting by political action committees Delete (l)(1) and (2): (l)(1)A committee shall indicate on its quarterly report for the fourth quarter of each calendar |

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| | | re-register each year, per Act 552 of 2023. Approved: 4/14/25 | | | year whether or not it intends to terminate its registration for the next calendar year. (1)(2) If a fourth quarter report is filed in paper form...terminate its registration for the next calendar year. |
| § 7-6-216(c) | 592 (10) | Act 592 (10) moved the due day for exploratory committee reports from thirty (30) days after the end of each month, to be due 20 days following the end of the month, which mirrors when candidates have C&E reports due. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Campaign Finance & Disclosure | 7 CAR § 3-152(c)(1)(A) Exploratory committees — Registration and reporting (c)(1)(A) “ Within thirty (30) days of the end of each month, <u>No later than twenty (20) days after the end of each month,</u> an exploratory committee shall file a report...” |
| § 7-6-220 (a)(1)(B) | 592 (11) | Act 592 (11) moved the monthly reporting due date for IE committees from fifteen (15) days after the end of the month, to twenty (20) days following the end of the month. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Independent Expenditures | 7 CAR § 6-103-(a)(1)(B) Reporting of IEs. Each subsequent report shall be filed no later than fifteen (15) twenty (20) days after the end of each month until the election is held, except as required in subdivision (a)(1)(C) of this section. |
| § 7-6-227 (a)(1)(A) | 592 (12) | Act 592 (12) lowers the threshold triggering amount to requirement registration as an independent expenditure committee from \$500, to \$200. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Independent Expenditures | 7 CAR § 6-102-Registration by independent expenditures committees. (a)(1)(A) “An independent expenditure committee shall |

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| | | percent (2%) or more of its annual revenues, operating expenses, or funds are <u>for the most recently completed year</u> is used to make a contribution to another BQC and if it exceeds ten thousand dollars (\$10,000) in value. Approved: 4/14/25 | | Question Committees | means (i) <u>An amount equal to two percent (2%) or more of its annual revenues, operating expenses, or funds are for the most recently completed year is used to make a contribution(s) to another ballot question committee[.]</u> |
| § 7-9-402 (10)(B) | 592 (15) | Act 592 (15) clarified how “2% of annual revenues” is measured for a LQC: “ <u>an amount equal to two percent (2%) or more of its annual revenues, operating expenses, or funds are for the most recently completed year</u> is used to make a contribution”... Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Ballot & Legislative Question Committees | 7 CAR § 7-101-Definitions (12)(B)(i) “Legislative question committee” means: ... (i) <u>an amount equal to two percent (2%) or more of its annual revenues, operating expenses, or funds are for the most recently completed year is used to make a contribution or contributions to another legislative question committee;</u> and (ii) The contribution or contributions exceed ten thousand dollars (\$10,000) in value[.] |
| § 7-9-409(a)(3) | 592 (16) | Act 592 (16) addressed when a final report is due if a ballot question fails to qualify for the ballot or is disqualified. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Ballot & Legislative Question Committees | 7 CAR § 7-111-Time to file financial reports – Late fee. (a)(4) <u>If a ballot question fails to qualify for the ballot or is disqualified, the final financial report shall be filed no later than thirty (30) days after the end of the month in which the ballot question fails</u> |

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| | | | | | to <u>qualify</u> for the ballot or is <u>disqualified</u> . |
| § 7-9-416 | 592 (17) | Act 592 (17) added a NEW provision for BQCs/ LQCs that allowed the entities to reuse old signs and added a requirement that the printed campaign materials for BQCs/ LQCs say, "Paid for by" followed by who paid for the printed campaign material. The language mirrored the similar statute for candidates. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Ballot & Legislative Question Committees | NEW* provision 7 CAR § 7-421 |
| § 21-8-703(a) | 592 (18) | Act 592 (18) clarified the filing location for the SFI as follows: Executive directors of education service cooperatives required to file an SFI shall file with the county clerk. Approved: 4/14/25 | Sen. J. Dismang and Rep. Eaves | Rules on Practice and Procedure Appendix of Forms Rules on Campaign Finance & Disclosure | This does not require a rule amendment Rules on Practice and Procedure; however, it would prompt amending the instructions on completing the SFI, which used to be in the Rules on Practice and Procedure. 7 CAR § 3-150(e)(5), (6), and new (7) Statement of financial interest – Filing required of public officials, appointees, and employees. (e)The Statement of Financial Interest shall be filed as follows... * * * (5) Persons appointed...;and (6) District judges...; and |

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| | | | | | <u>(7) Executive directors of education service cooperatives shall file with the county clerk.</u> |
| § 7-6-208(a) | 994 (1&2) | <p>Act 994 (1) moved filing office of C&E report filings for school district, township, and municipal office to the SOS's office.</p> <p>Act 994 (Sections 1 and 2), established the requirement that school board and municipal candidates file monthly reports, beginning the year of the election, due on the 20th of the next month, for candidates who have raised or spent in excess of \$5,000.</p> <p>Candidates who have spent more than \$500 but less than \$5,000 file a pre-election and a final report.</p> <p>Candidates who have raised or spent \$500 or less only have final reports due.</p> <p>After an election, certain candidates are required to continue filing reports. During a non-election year, an annual report is required to be filed by December 31st for candidates who keep remaining campaign funds, receive contributions or make expenditures for a future campaign or make</p> | Rep. Underwood, Rep. Long, Rep. Rose, Rep. McAlindon & Sen. C. Penzo | Rules on Campaign Finance & Disclosure | <p>7 CAR § 3-140- Reports of contributions — Candidates for school district, township, or municipal office — Required reports and time for filing</p> <p>7 CAR-3-145 (b)(2)- In short, County Candidates who have raised/spent between \$500 and \$5,000 only have to file an annual, a preelection, and a final report.</p> |

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| | | officeholder expenditures in excess of \$5,000. The threshold <i>in excess of \$5,000</i> is based upon (i) the threshold associated with monthly reports during an election year and (ii) the exception for filing only preelection and final reports if a candidate has received or spent in excess of \$500 but less than \$5,000. Approved: 4/22/25 | | | |
| § 7-6-208(d) | 994 (2) | Act 994 (2) provided that a candidate who has received or spent in excess of \$500 but less than \$5,000. shall only file a preelection report (if opposed) and a final report for an election. Approved: 4/22/25 | Rep. Underwood, Rep. Long, Rep. Rose, Rep. McAlindon & Sen. C. Penzo | Rules on Campaign Finance & Disclosure | 7 CAR § 3-140- Reports of contributions — Candidates for school district, township, or municipal office — Required reports and time for filing. 7 CAR § 3-142- Exceptions to filing reports of contributions — Candidates for school district, township, or municipal office. |
| § 7-6-209(a) | 994 (3) | Act 994 (3) mandated that county candidates file their C&E reports with the SOS. - Monthly reports are now due for county candidates, beginning in January of the election year, on the 20 th of the next month for candidates who have raised or spent in excess of \$5,000. | Rep. Underwood, Rep. Long, Rep. Rose, Rep. McAlindon & Sen. C. Penzo | Rules on Campaign Finance & Disclosure | 7 CAR § 3-143- Reports of contributions — Candidates for county office — Required reports and time for filing. |

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| | | <p>-Final report due for everyone, the month after the month after the election, on the 20th.</p> <p>-Annual report due for non-election years to be filed by December 31st for candidates who keep remaining campaign funds, receive contributions or make expenditures for a future campaign or make officeholder expenditures in excess of \$5,000. The threshold <i>in excess of</i> \$5,000 is based upon (i) the threshold associated with monthly reports during an election year and (ii) the exception for filing only preelection and final reports if a candidate has received or spent in excess of \$500 but less than \$5,000.</p> <p>Approved: 4/22/25</p> | | | |
| § 7-6-209(d) | 994 (4) | <p>Act 994 (4) provided that a candidate who has received or spent in excess of \$500 but less than \$5,000 shall only file a preelection report (if opposed) and a final report for an election.</p> <p>Approved: 4/22/25</p> | Rep. Underwood, Rep. Long, Rep. Rose, Rep. McAlindon & Sen. C. Penzo | Rules on Campaign Finance & Disclosure | 7 CAR § 3-145 (b)(2) Exceptions to filing reports of contributions – Candidates for county office. |
| § 7-6-230 | 996 | <p>Act 996 provided that, in an emergency, the SOS shall allow a candidate to email, fax, or deliver a paper copy of a C&E report under 7-6-207, with a follow up electronic within 10 days.</p> <p>Approved 4/22/25</p> | Rep. Hawk & Sen. Crowell | Rules on Campaign Finance & Disclosure | 7 CAR § 3-137- Reports of contributions — Candidates for state or district office, including district judge — Required reports and time for filing (Deleting parts (d)-(h)). |

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| § 7-6-201 | 999 (2) ¹ | Under Act 999 (2), "Prohibited sources" means the same as is defined in § 7-9-402." ("Prohibited sources" is defined in 7-9-402 to include: (A) A prohibited political action committee as defined in § 7-6-201; (B) A political action committee that accepts one (1) or more contributions from a foreign national; (C) An organization that is funded by a political action committee that accepts one (1) or more contributions from a foreign national; (D) Contributions from or expenditures by a foreign national; and (E) Contributions or expenditures that violate state or federal law.) Approved: 4/22/25 | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7-101-Definitions |
| § 7-6-220(b) | 999 (3) | Act 999 (3) mandated the filing of, "An affirmation by the individual, committee, or entity making the independent expenditure that the individual, committee, or entity has not knowingly or willfully accepted donations in excess of ten thousand dollars (\$10,000) in the aggregate from one (1) or more prohibited | Rep. McAlindon and Sen. K. Hammer | Rules on Independent Expenditures | 7 CAR § 6-102- (6) Registration by independent expenditure committees *(NEW subsection in the subpart) |

¹ Section 1- DO NOT CODIFY- Legislative findings and intent. The General Assembly finds that: (1) It is vital to the operation of an effective democracy for the people to have full and complete confidence in their elections; (2) It is crucial that those elections be free of unwanted foreign influence; and (3) It is the intent of the General Assembly to prevent foreign contributions from influencing the outcome of Arkansas elections.

| Arkansas Code Annotated | Act (Section) | Description | Sponsor(s) | AEC Rule(s) Affected | Code Of Arkansas Rules Citation |
|-------------------------|---------------|---|-----------------------------------|---|---|
| | | sources within the four-year period immediately preceding the date the independent expenditure was made. <i>Approved: 4/22/25</i> | | | |
| § 7-9-402 | 999 (4) | Act 999 (4) added six (6) new defined terms to the laws on BQC and LQCs: “directly or indirectly”; “foreign national,” “independent expenditure”; “preliminary activity”; “prohibited sources”; and “tax-exempt organization”. NOTE: The definition of “independent expenditure” in 7-6-201 refers to <i>candidates</i> but does not include expenditures to influence a ballot or legislative question. <i>Approved: 4/22/25</i> | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7-101-Definitions Section (4) added six (6) new defined terms to the laws on BQC and LQCs: “directly or indirectly”; “foreign national,” “independent expenditure”; “preliminary activity”; “prohibited sources”; and “tax-exempt organization”. |
| § 7-9-407(2) | 999 (5) | Act 999 (5) created a requirement that BQCs/ LQCs file an affirmation that it has not knowingly or willfully received, solicited, or accepted contributions or expenditures from a prohibited source; and (ii) An affirmation by the treasurer of the BQC or LQC that ... the donor associated with each contribution is not a foreign national and has not knowingly or willfully received, solicited, or accepted, whether directly or indirectly, contributions or expenditures from | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7-110-Verification of financial reports. *NEW subsection (c) |

| Arkansas Code Annotated | Act (Section) | Description | Sponsor(s) | AEC Rule(s) Affected | Code Of Arkansas Rules Citation |
|-------------------------|---------------|--|-----------------------------------|---|---|
| | | one (1) or more prohibited sources in excess of ten thousand dollars (\$10,000) in the aggregate within the four-year period immediately preceding the date of the contribution. Approved: 4/22/25 | | | |
| § 7-9-416 | 999 (6) | Act 999 (6) prohibited certain sources of funding for BQC/LQCs. -BQC/LQC's must file a certification that no "preliminary activity" was funded by prohibited sources. -shall not knowingly or willfully receive, solicit, or accept contributions/ expenditures (directly or indirectly) from a prohibited source - A person who makes an independent expenditure in support of or in opposition to a BQC/LQC in excess of ten thousand dollars (\$10,000) in the aggregate shall keep/retain records of any contribution/ expenditure. NOTE: The definition of "independent expenditure" in 7-6-201 refers to <i>candidates</i> but does not include expenditures to influence a ballot or legislative question. Approved: 4/22/25 | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7-102- Contributions and expenditures — Limits 7 CAR § 7-107- Statement of organization. |
| § 7-9-417 | 999 (6) | Act 999 (6) required "Donor certification of no affiliation with prohibited sources." | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees | 7 CAR § 7-117- Donor certification of no affiliation with |

| Arkansas Code Annotated | Act (Section) | Description | Sponsor(s) | AEC Rule(s) Affected | Code Of Arkansas Rules Citation |
|-------------------------|---------------|---|-----------------------------------|---|---|
| | | Upon receipt of contribution in excess of \$10,000 to a BQC/LQC, the treasurer of the BQC/LQC shall obtain from the donor an affirmation that the donor is not a foreign national and has not knowingly/willfully accepted donations in excess of \$10,000 in the aggregate from one of more in a 4-year period from a prohibited source. Approved: 4/22/25 | | and Legislative Question Committees | prohibited sources. NEW* section |
| § 7-9-418 | 999 (6) | Act 999 (6) dealt with "Prohibited influence by a foreign national." A foreign national shall not direct, dictate, control, or directly/ indirectly participate in the decision-making process of any person with regard to that person's activities to influence a ballot question or legislative question, including without limitation decisions concerning the making of contributions or expenditures to influence a ballot question or legislative question. Approved: 4/22/25 | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7- <u>118</u> - Prohibited influence by a foreign national. NEW* section |
| § 7-9-419 | 999 (6) | Act 999 (6) addressed enforcement for violations of ban on foreign funding for ballot questions or legislative questions. The Attorney General may bring a civil action | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7- <u>119</u> - Enforcement for violations of ban on foreign funding for ballot questions and legislative questions. NEW* section |

| Arkansas Code Annotated | Act (Section) | Description | Sponsor(s) | AEC Rule(s) Affected | Code Of Arkansas Rules Citation |
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| | | to enforce §§ 7-79-416 thru 7-9-420. Approved: 4/22/25 | | | |
| § 7-9-420 | 999 (6) | <p>Act 999 (6) addressed restrictions on collection /release of donor information related to donors to tax exempt organizations.</p> <p>-An investigation of an alleged violation under §§ 7-9-416 thru 420 ... shall occur in a manner that shields the identity of lawful donors to the extent possible.</p> <p>-A governmental body shall not collect or require the submission of information on the identity of any donor to a tax-exempt organization other than those directly related to an alleged violation of §§ 7-9-416-420.</p> <p>- Any collection or required submission of information... beyond that permitted by any provision under §§ 7-9-416 thru 420 shall be deemed a violation of the Personal Information Protection Act, § 4-110-101 <i>et seq.</i></p> <p>- A governmental body shall not disclose to the public or another government official not directly involved in the investigation, information revealing the identity of any donor to a tax-exempt</p> | Rep. McAlindon and Sen. K. Hammer | Rules on Ballot Question Committees and Legislative Question Committees | 7 CAR § 7- 120 - Restrictions on collection and release of donor information. NEW* section |

| Arkansas Code Annotated | Act (Section) | Description | Sponsor(s) | AEC Rule(s) Affected | Code Of Arkansas Rules Citation |
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| | | <p>organization, unless... and after a final determination has been made that the donor violated §§ 7-9-416 thru 420 or if the tax-exempt organization has triggered registration and reporting as a BQC or a LQC under this subchapter.</p> <p>-Knowing/willful violations are punishable under the Personal Information Protection Act, § 4-110-101 et seq.</p> <p>-Any public disclosure revealing the identity of any donor to a tax-exempt organization by a governmental body is a violation of the Personal Information Protection Act, § 4-110-101 et seq., unless the information is regarding the identity of a donor that engaged in conduct prohibited by any provision under §§ 7-9-416 thru 420 after a final determination has been made that the donor violated any provision under §§ 7-9-416 thru 420.</p> <p>Approved: 4/22/25</p> | | | |