



**STATE OF ARKANSAS**  
**SARAH HUCKABEE SANDERS**  
**GOVERNOR**

**Request for Governor's Approval of Proposed Rule or Regulation**

Department /Agency: \_\_\_\_\_

Short Title of Rule: \_\_\_\_\_ (7 CAR § 6)

New Rule:  Yes  No

Amendment to Existing Rule:  Yes  No

State Mandate:  Yes  No

Federal Mandate:  Yes  No

If yes, please provide the legal citation of the mandate: \_\_\_\_\_

Legal Authority for Rule: \_\_\_\_\_

Proposed Effective Date: \_\_\_\_\_

Emergency Rule:  Yes  No

Expedited Rule Requested:  Yes  No


Summary of Proposed New Rule or Proposed Amendment to Existing Rule:

Financial Impact:  Yes  No  Unknown; If yes or unknown, please explain:

Public Hearing Occurred on Rule:  Yes  No **TBD, ASAP**

Controversial:  Yes  No

If yes, please explain and provide detail of expected opposition.

**Two Rules Repealed:**                      **Exception from the Governor:**  Exception requested

**First Rule Repealed:**              Rules on Campaign Contribution Limit

Brief explanation of why repeal is appropriate:

The Commission respectfully requests that an exemption be granted. It is the position of the Commission that these proposed amendments would not create a new rule but rather keep existing rules up-to-date and in conformity with the law. If this is considered a new rule, then the Commission requests the exemption be granted. Moreover, the Commission is seeking to repeal The Rules on Campaign Contribution Limit. The proposed amendments will bring the Rules on Independent Expenditures into conformity with legislation passed during the 95th General Assembly in 2025.

**Second Rule Repealed:**              N/A

Brief explanation of why repeal is appropriate:

N/A

### **Documents Required for Approval Process**

Please note that the Governor’s office will not begin the approval process if any of the following applicable documents are not enclosed with the approval request.

- BLR Questionnaire
- BLR Financial Impact Statement
- Proposed Rule - clean version
- Mark-Up of Rule, if amended from previous version
- Copy of Act or Regulation, if Rule is pursuant to State or Federal mandate

### **Contact Information**

Department POC for Rules Process:                      [Jill Rogers Barham](#)

Department POC for this Rule:                      [Jill Rogers Barham](#)

**NOTE: All documents must be returned to the Governor’s Counsel as a single PDF file.**

**QUESTIONNAIRE FOR FILING PROPOSED RULES WITH  
THE ARKANSAS LEGISLATIVE COUNCIL**

DEPARTMENT \_\_\_\_\_  
 BOARD/COMMISSION \_\_\_\_\_  
 BOARD/COMMISSION DIRECTOR \_\_\_\_\_  
 CONTACT PERSON \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 PHONE NO. \_\_\_\_\_ EMAIL \_\_\_\_\_  
 NAME OF PRESENTER(S) AT SUBCOMMITTEE MEETING \_\_\_\_\_  
 PRESENTER EMAIL(S) \_\_\_\_\_

**INSTRUCTIONS**

In order to file a proposed rule for legislative review and approval, please submit this Legislative Questionnaire and Financial Impact Statement, and attach (1) a summary of the rule, describing what the rule does, the rule changes being proposed, and the reason for those changes; (2) both a markup and clean copy of the rule; and (3) all documents required by the Questionnaire.

If the rule is being filed for permanent promulgation, please email these items to the attention of Rebecca Miller-Rice, [miller-ricer@blr.arkansas.gov](mailto:miller-ricer@blr.arkansas.gov), for submission to the Administrative Rules Subcommittee.

If the rule is being filed for emergency promulgation, please email these items to the attention of Director Marty Garrity, [garritym@blr.arkansas.gov](mailto:garritym@blr.arkansas.gov), for submission to the Executive Subcommittee.

Please answer each question completely using layman terms.

\*\*\*\*\*

1. What is the official title of this rule?  
\_\_\_\_\_
2. What is the subject of the proposed rule? \_\_\_\_\_
3. Is this rule being filed under the emergency provisions of the Arkansas Administrative Procedure Act? Yes      No

*If yes, please attach the statement required by Ark. Code Ann. § 25-15-204(c)(1).*

If yes, will this emergency rule be promulgated under the permanent provisions of the Arkansas Administrative Procedure Act? Yes      No

4. Is this rule being filed for permanent promulgation? Yes No

If yes, was this rule previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, what was the effective date of the emergency rule? \_\_\_\_\_

On what date does the emergency rule expire? \_\_\_\_\_

5. Is this rule required to comply with a *federal* statute, rule, or regulation? Yes No

If yes, please provide the federal statute, rule, and/or regulation citation.

6. Is this rule required to comply with a *state* statute or rule? Yes No

If yes, please provide the state statute and/or rule citation.

7. Are two (2) rules being repealed in accord with Executive Order 23-02? Yes No

If yes, please list the rules being repealed.

If no, please explain.

The Commission respectfully requests that an exemption be granted. It is the position of the Commission that these proposed amendments would not create a new rule but rather keep existing rules up-to-date and in conformity with the law. If this is considered a new rule, then the Commission requests the exemption be granted. Moreover, the Commission is seeking to repeal The Rules on Campaign Contribution Limit.

8. Is this a new rule? Yes No

Does this repeal an existing rule? Yes No

If yes, the proposed repeal should be designated by strikethrough. If it is being replaced with a new rule, please attach both the proposed rule to be repealed and the replacement rule.

Is this an amendment to an existing rule? Yes No

If yes, all changes should be indicated by strikethrough and underline. In addition, please be sure to label the markup copy clearly as the markup.

9. What is the state law that grants the agency its rulemaking authority for the proposed rule, outside of the Arkansas Administrative Procedure Act? Please provide the specific Arkansas Code citation(s), including subsection(s).

10. Is the proposed rule the result of any recent legislation by the Arkansas General Assembly?  
Yes      No

If yes, please provide the year of the act(s) and act number(s).

11. What is the reason for this proposed rule? Why is it necessary?

12. Please provide the web address by which the proposed rule can be accessed by the public as provided in Ark. Code Ann. § 25-19-108(b)(1).

13. Will a public hearing be held on this proposed rule? Yes      No

If yes, please complete the following:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

*Please be sure to advise Bureau Staff if this information changes for any reason.*

14. On what date does the public comment period expire for the permanent promulgation of the rule? Please provide the specific date. \_\_\_\_\_

15. What is the proposed effective date for this rule? \_\_\_\_\_

16. Please attach (1) a copy of the notice required under Ark. Code Ann. § 25-15-204(a)(1) and (2) proof of the publication of that notice.

17. Please attach proof of filing the rule with the Secretary of State, as required by Ark. Code Ann. § 25-15-204(e)(1)(A).

18. Please give the names of persons, groups, or organizations that you anticipate will comment on these rules. Please also provide their position (for or against), if known.

19. Is the rule expected to be controversial? Yes      No

If yes, please explain.

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY.**

**DEPARTMENT** \_\_\_\_\_  
**BOARD/COMMISSION** \_\_\_\_\_  
**PERSON COMPLETING THIS STATEMENT** \_\_\_\_\_  
**TELEPHONE NO.** \_\_\_\_\_ **EMAIL** \_\_\_\_\_

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

**TITLE OF THIS RULE** \_\_\_\_\_

1. Does this proposed, amended, or repealed rule have a financial impact?  
Yes                      No
  
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?  
Yes                      No
  
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes                      No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency’s statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
  - (a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes      No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
  - (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
  - (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

## **NOTICE OF RULE MAKING AND PUBLIC HEARING ARKANSAS ETHICS COMMISSION**

NOTICE is hereby given that the Arkansas Ethics Commission intends to amend the portions of the Code of Arkansas Rules (“CAR”) under the jurisdiction of the Arkansas Ethics Commission, specifically the Rules on Ballot and Legislative Question Committees (7 CAR § 7), Rules on Campaign Contribution Limit (7 CAR § 2; seeking to repeal), Rules on Campaign Finance & Disclosure (7 CAR § 3), Rules on Conflicts (21 CAR § 2), Rules on Independent Expenditures (7 CAR § 6), Rules on Political Committees (7 CAR § 5), and Rules on Special State Employees (19 CAR § 25). The proposed amendments to the rules are intended to implement and administer the provisions of Acts 250, 270, 323, 419, 524, 592, 994, 996, 999 of the 2025 Regular Session of the 95<sup>th</sup> General Assembly, and to further implement and administer applicable provisions of the laws under the Commission’s jurisdiction. Copies of the proposed amended rules may be obtained from the Commission, which is located at 501 Woodlane, Suite 301N, Little Rock, Arkansas, 72201, telephone (501) 324-9600, and may also be found at [www.ArkansasEthics.com](http://www.ArkansasEthics.com).

Interested parties should forward written comments to Graham F. Sloan, Director, Post Office Box 1917, Little Rock, Arkansas 72203-1917, by 5:00 p.m. on \_\_\_\_\_, \_\_\_\_\_, 2025. The Commission will hold a public hearing on \_\_\_\_\_, \_\_\_\_\_, 2025, beginning at 9:00 a.m. at the Commission’s office in Little Rock to consider the written submissions and receive oral comments on the aforementioned sets of rules.

**Summary of Proposed Amendments to 7 CAR § 6 et seq.**  
**(The Rules on Independent Expenditures)**

**Purpose:**

The purpose of these proposed amendments is to bring 7 CAR § 6 et seq. (The Rules on Independent Expenditures) into conformity with the legislation passed in 2025 during the 95<sup>th</sup> General Assembly of the Arkansas Legislature. A specific part of the Code of Arkansas Rules (7 CAR § 6- The Rules on Independent Expenditures) is used as a resource during the election cycle so it is important that the rules are updated as soon as possible for the 2026 campaign cycle.

**Summary:**

Act 592 (Section 4) amended Arkansas Code § 7-6-206(a) and clarified the list of entities that must keep records for a period of four (4) years, as follows: a candidate, 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 § 7-6-201 et seq. The proposed amendments would add new text, specifically 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 Arkansas Code § 7-6-201 et seq.”

Act 592 (Section 11) amended Arkansas Code § 7-6-220(a)(1)(B) and moved the monthly reporting due date for independent expenditure committees from fifteen (15) days after the end of the month, to twenty (20) days following the end of the month. The proposed amendments would revise text, specifically 7 CAR § 6-103. Reporting of independent expenditures in subpart (a)(1)(B) “Each subsequent report shall be filed no later than twenty (20) days after the end of each month...”

Act 592 (Section 12) amended Arkansas Code § 7-6-227(a)(1)(A) and lowered the threshold triggering amount to require registration as an independent expenditure committee from \$500, to \$200, and added making independent expenditures as a triggering activity. The proposed amendments would add new text to include making independent expenditures and revise text to replace \$500 with \$200, specifically 7 CAR § 6-102. Registration by independent expenditure committees in subpart (a)(1)(A) “To qualify as an independent expenditure committee, the committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions or making independent expenditures during a calendar year that exceed two hundred dollars (\$200) in the aggregate.”

Act 592 (Section 13) amended Arkansas Code § 7-6-228(c)(2) and clarified that the “Paid for by” disclaimer needs to be on campaign signs, campaign literature, and other printed campaign materials created by or sponsored by persons making independent expenditures. The proposed amendments would add new text, specifically 7 CAR § 6-105. Paid for by disclaimer in subpart (b)(2)(E) “Subdivision(b)(1) of this section applies only to campaign signs, campaign literature, and other printed campaign materials created or sponsored by: (A) A political candidate; (B) The

campaign of a political candidate; (C) A political action committee; (D) An independent expenditure committee; or (E) Persons making independent expenditures.

Act 999 (Section 3) amended Arkansas Code § 7-6-220(b) and mandated that independent expenditure committee registration include 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 sources within the four-year period immediately preceding the date the independent expenditure was made.” The proposed amendments would add new text, specifically 7 CAR § 6-102. Registration by independent expenditure committees in subpart (b)(6) “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 sources within the four-year period immediately preceding the date the independent expenditure was made.”

# Proposed Rulemaking

## Title

Promulgated by:  
Arkansas Ethics Commission

### Title 7. Elections

#### Chapter I. Arkansas Ethics Commission

#### Subchapter A. Generally

#### Part 6. Rules on Independent Expenditures

#### Subpart 1. Generally

#### **7 CAR § 6-101. Definitions.**

As used in this part:

(1)(A) "Contribution" means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, pledge or promise of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate.

(B)(i) "Contribution" includes:

(a) The purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events;

(b) The granting of discounts or rebates by television stations, radio stations, and newspapers not extended on an equal basis to all candidates for the same office; and

(c) Any payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee

**DRAFT**

06/03/2025 03:28:59 PM

or persons whose expenditures the candidates or committee must report under this part.

(ii) The term "contribution" further includes any transfer of anything of value received by a committee from another committee.

(iii) "Contribution" shall not include noncompensated, nonreimbursed, volunteer personal services or travel.

(C) "Contribution and expenditure" shall not include activity sponsored and funded by a political party that meets the definition of "political party" under Arkansas Code § 7-1-101 or the requirements of Arkansas Code § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings and shall not include nonpartisan activity designed to encourage individuals to register to vote or to vote or any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate;

(2)(A) "Expenditure" means a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure, made for the purpose of influencing the nomination or election of any candidate.

(B) "Contribution and expenditure" shall not include:

(i) Activity sponsored and funded by a political party that meets the definition of "political party" under Arkansas Code § 7-1-101 or the requirements of Arkansas Code § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings;

(ii) Nonpartisan activity designed to encourage individuals to register to vote or to vote; or

(iii) Any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate;

(3) "Independent expenditure" means any expenditure which is:

(A) Not a contribution and expressly advocates the election or defeat of a clearly identified candidate for office;

(B) Made without arrangement, cooperation, or consultation between:

(i) Any candidate or any authorized committee or agent of the candidate; and

(ii) The person making the expenditure or any authorized agent of that person; and

(C) Not made in concert with or at the request or suggestion of any candidate or any authorized committee or agent of the candidate;

(4) "Independent expenditure committee" means any person who:

(A) Receives contributions from one (1) or more persons in order to make an independent expenditure; and

(B) Is registered pursuant to Arkansas Code § 7-6-227 prior to making expenditures;

(5)(A) "Person" means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.

(B) It shall also include:

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

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

(iii) County political party committees; and

(iv) Legislative caucus committees; and

(6)(A) "Printed campaign materials" means:

(i) Literature mailed to an elector that is intended to or calculated to influence the vote of an elector in an election in this state, including without limitation:

(a) Signs;

(b) Banners;

(c) Flyers; and

(d) Pamphlets; and

(ii) Yard signs and push cards intended to or calculated to influence the vote of an elector in an election in this state.

(B) "Printed campaign materials" does not mean political paraphernalia, including without limitation:

(i) Stickers;

(ii) Buttons;

(iii) Pens;

(iv) T-shirts;

(v) Nail files; or

(vi) Other similar trinkets.

**7 CAR § 6-102. Registration by independent expenditure committees.**

(a)(1)(A) To qualify as an independent expenditure committee, the committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions or making independent expenditures during a calendar year that exceed five hundred dollars (\$500) two hundred dollars (\$200) in the aggregate.

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

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

(2)(A) The committee shall designate a resident agent who shall be an individual who resides in the State of Arkansas.

(B) No contribution shall be accepted from a committee and no expenditure shall be made by a committee that has not registered and does not have a resident agent.

(3) An out-of-state committee shall be required to comply with the registration and reporting provisions of this part if the committee makes an independent

expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than five hundred dollars (\$500) during a calendar year.

(b) The registration form of an independent expenditure committee shall contain the following information:

(1)(A) The name, address, and, where available, phone number of the committee and the name, address, phone number, and place of employment of each of its officers.

(B) If the committee's name is an acronym, then both it and the words forming the acronym shall be disclosed;

(2) The full name and street address, city, state, and zip code of each financial institution the committee uses for purposes of receiving contributions or making expenditures within the State of Arkansas;

(3) A written acceptance of designation as a resident agent;

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

(5) A clause submitting the committee to the jurisdiction of the State of Arkansas for all purposes related to compliance with the provisions of Arkansas Code § 7-6-201 et seq.; ~~and~~

(6) 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 sources within the four-year period immediately preceding the date the independent expenditure was made.

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

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

## **7 CAR § 6-103. Reporting of independent expenditures.**

(a) A person who or an independent expenditure committee which makes independent expenditures in an aggregate amount or value in excess of two hundred dollars (\$200) in a calendar year shall file reports with the Secretary of State:

(1)(A) No later than fifteen (15) days following the month in which the two-hundred-dollar threshold required under this section is met, the first financial report shall be filed.

(B) 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.

(C) For any month in which certain days of that month are included in a preelection financial report required under subdivision (a)(2) of this section, no monthly report for that month shall be due, but those days of that month shall be carried forward and included in the final financial report;

(2) No later than seven (7) days prior to preferential primary elections, runoff elections, general elections, and special elections covering the period ending ten (10) days prior to such elections; and

(3) As for a final report, no later than thirty (30) days after the end of the month in which the last election is held at which the candidate seeks nomination or election.

(b) Such reports shall include:

(1) In the case of an individual making such an expenditure, the name, address, telephone number, principal place of business, employer, and occupation of the individual;

(2) In the case of a committee, the name, address, employer, and occupation of its officers;

(3) In the case of a person who is not an individual, the principal name of the entity, the address, and the name, address, employer, and occupation of its officers;

(4) The total amount of contributions received, with loans stated separately, and the total amount of expenditures made during the filing periods, and the cumulative amount of those totals;

(5) The name and address of each person who made a contribution or contributions that in the aggregate exceeded two hundred dollars (\$200);

(6) The contributor's principal place of business, employer, occupation, the amount contributed, the date the contribution was accepted by the committee, and the aggregate contributed for each election;

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

(8) An itemization of all single expenditures made which exceed one hundred dollars (\$100), including the:

(A) Amount of the expenditure;

(B) Name and address of any person to whom the expenditure was made;

and

(C) Date the expenditure was made;

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

(10) A list of all expenditures by categories, including, but not limited to:

(A) Television, radio, print, and other advertising;

(B) Direct mail;

(C) Office supplies;

(D) Rent;

(E) Travel;

(F) Expenses;

(G) Entertainment; and

(H) Telephone;

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

(12) The current balance of committee funds.

**DRAFT**

(c) The information required in subdivisions (b)(4) – (10) of this section may be provided in the form of schedules attached to the report.

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

(e)(1) A report is timely filed if it is filed in electronic form through the official website of the Secretary of State on or before the date that the report is due.

(2)(A) The Secretary of State shall receive reports in a readable electronic format that is:

- (i) Acceptable to the Secretary of State; and
- (ii) Approved by the Arkansas Ethics Commission.

(B) The commission shall approve the format used by the Secretary of State for the filing of independent expenditure reports in electronic form to ensure that all required information is requested.

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

(3)(A) A person required to file reports or register in paper form under Arkansas Code § 7-6-220 may file reports or register in paper form if:

(i) The person does not have access to the technology necessary to submit reports or registration in electronic form; and

(ii) Submitting reports or registration in electronic form would constitute a substantial hardship for the person.

(B) A person filing reports or registration in paper form under subdivision (e)(3)(A) of this section shall submit with its first report or registration a notarized affidavit on a form prepared by the Secretary of State declaring that:

(i) The person does not have access to the technology necessary to submit reports or registration in electronic form;

(ii) Submitting reports or registration in electronic form would constitute a substantial hardship for the person; and

(iii) The person agrees to file all other reports in paper form for the duration of the period of registration.

(4) The Secretary of State shall:

(A) Not accept a report or registration in paper form under subdivision (e)(3)(A) of this section if a notarized affidavit was not submitted with the:

(i) Registration of a political action committee; or

(ii) First report of a person or independent expenditure committee;

(B) Provide written notice to the political action committee within five (5) business days if the registration in paper form was not filed or accepted;

(C) Provide written notice to a political action committee, person, or independent expenditure committee within five (5) business days if a report in paper form was not filed or accepted; and

(D) Provide the reason the registration or report in paper form was not filed or accepted.

(5) The Secretary of State shall make available to persons wishing to file reports in paper form under Arkansas Code § 7-6-231:

(A) Information on the deadlines for filing required reports; and

(B)(i) Appropriate forms and instructions for complying with the deadlines.

(ii) The Arkansas Ethics Commission shall approve the forms and instructions used by the Secretary of State under Arkansas Code § 7-6-231 to ensure that all required information is requested.

(6) Reports shall be filed on the forms furnished by the Secretary of State, except that computer-generated contribution and expenditure reports shall be accepted by the Secretary of State and the commission provided that all of the requisite elements are included.

(7)(A) A report submitted in paper form under Arkansas Code § 7-6-231 other than a preelection report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, and postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on or before the date that the report is due.

(B) A preelection report submitted in paper form under Arkansas Code § 7-6-231 is timely filed if it is received by the Secretary of State no later than seven (7) days before the election for which it is filed.

(C) The Secretary of State shall accept a report via facsimile, provided the original is received by the Secretary of State within ten (10) days of the date of facsimile transmission.

(8)(A) The Secretary of State shall make available reports submitted in paper form on a portion of the official website of the Secretary of State.

(B) The Secretary of State shall comply with the requirements of Arkansas Code § 7-6-214(c) regarding the "paper filer" designation and publication requirements for all reports submitted in paper form.

**7 CAR § 6-104. Out-of-state independent expenditure committees.**

(a) An out-of-state independent expenditure committee is required to comply with the registration provisions of 7 CAR § 6-102 and is subject to the jurisdiction of the State of Arkansas for all purposes related to compliance with the registration provisions of Arkansas Code § 7-6-201 et seq., if the committee makes an independent expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than five hundred dollars (\$500) during a calendar year.

(b) An out-of-state independent expenditure committee is required to comply with the reporting provisions of 7 CAR § 6-103 and is subject to the jurisdiction of the State of Arkansas for all purposes related to compliance with the reporting provisions of Arkansas Code § 7-6-201 et seq., if the committee makes an independent expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than two hundred dollars (\$200) during a calendar year.

**7 CAR § 6-105. Paid for by disclaimer.**

(a)(1)(A) All articles, statements, or communications appearing in any newspaper printed or circulated in this state intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be

paid shall clearly contain the words "Paid Political Advertisement", "Paid Political Ad", or "Paid for by" the candidate, committee, or person who paid for the message.

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

(2)(A) In addition, all articles, statements, or communications appearing in any radio, television, or any other electronic medium intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "Paid Political Advertisement", "Paid Political Ad", "Paid for by", "Sponsored by", or "Furnished by" the true sponsor of the advertisement.

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

(b)(1) Printed campaign materials as defined in 7 CAR § 6-101(6), shall clearly contain the words "Paid for by" followed by the name of the candidate, committee, or person who paid for the:

- (A) Campaign sign;
- (B) Campaign literature; or
- (C) Other printed campaign materials.

(2) Subdivision (b)(1) of this section applies only to campaign signs, campaign literature, and other printed campaign materials created by or sponsored by:

- (A) A political candidate;
- (B) The campaign of a political candidate;
- (C) A political action committee; ~~or~~
- (D) An independent expenditure committee; ~~or~~
- (E) Persons making independent expenditures.

(3) When the printed campaign material is a two-sided sign, the "Paid for by" language required by this subsection shall appear on both sides of the sign.

### **7 CAR § 6-106. Penalties.**

(a) If the Arkansas Ethics Commission finds that a person or an independent expenditure committee has committed a violation of Arkansas Code § 7-6-220, § 7-6-227, or both, then it may do one (1) or more of the following:

(1) Impose a fine of not less than fifty dollars (\$50.00) and not more than three thousand five hundred dollars (\$3,500); or

(2) Issue a public letter of:

(A) Caution;

(B) Warning; or

(C) Reprimand.

(b) In addition, a committee failing to file an amendment within ten (10) days as required by 7 CAR § 6-102(c) shall be subject to a late filing fee of ten dollars (\$10.00) for each day the change is not filed.

### **7 CAR § 6-107. Records retention.**

(a)(1) An independent expenditure committee required to comply with the registration requirements of 7 CAR § 6-102 shall maintain for a period of four (4) years records evidencing the name, address, and place of employment of each person that contributed to the independent expenditure committee, along with the amount contributed.

(2) Such a committee shall also maintain for a period of four (4) years records evidencing each independent expenditure made by the committee, along with the amount of each expenditure.

(b) A person required to comply with the reporting requirements of 7 CAR § 6-103 shall maintain for a period of four (4) years records evidencing each independent expenditure made by the person, along with the amount of each expenditure.

(c) 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 Arkansas Code § 7-6-201.

**7 CAR § 6-108. Administrative expenses of independent expenditure committees.**

It is permissible for an independent expenditure committee to pay reasonable administrative expenses out of the contributions it has received.

# Proposed Rulemaking

## Title

Promulgated by:  
Arkansas Ethics Commission

### Title 7. Elections

#### Chapter I. Arkansas Ethics Commission

##### Subchapter A. Generally

#### Part 6. Rules on Independent Expenditures

##### Subpart 1. Generally

#### **7 CAR § 6-101. Definitions.**

As used in this part:

(1)(A) "Contribution" means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, pledge or promise of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate.

(B)(i) "Contribution" includes:

(a) The purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events;

(b) The granting of discounts or rebates by television stations, radio stations, and newspapers not extended on an equal basis to all candidates for the same office; and

(c) Any payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate

**DRAFT**

06/03/2025 03:28:59 PM

or committee or persons whose expenditures the candidates or committee must report under this part.

(ii) The term "contribution" further includes any transfer of anything of value received by a committee from another committee.

(iii) "Contribution" shall not include noncompensated, nonreimbursed, volunteer personal services or travel.

(C) "Contribution and expenditure" shall not include activity sponsored and funded by a political party that meets the definition of "political party" under Arkansas Code § 7-1-101 or the requirements of Arkansas Code § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings and shall not include nonpartisan activity designed to encourage individuals to register to vote or to vote or any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate;

(2)(A) "Expenditure" means a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure, made for the purpose of influencing the nomination or election of any candidate.

(B) "Contribution and expenditure" shall not include:

(i) Activity sponsored and funded by a political party that meets the definition of "political party" under Arkansas Code § 7-1-101 or the requirements of Arkansas Code § 7-7-205 to promote its candidates or nominees through events such as dinners, luncheons, rallies, or similar gatherings;

(ii) Nonpartisan activity designed to encourage individuals to register to vote or to vote; or

(iii) Any communication by any membership organization to its members or stockholders if the membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election or election of any candidate;

(3) "Independent expenditure" means any expenditure which is:

(A) Not a contribution and expressly advocates the election or defeat of a clearly identified candidate for office;

(B) Made without arrangement, cooperation, or consultation between:

(i) Any candidate or any authorized committee or agent of the candidate; and

(ii) The person making the expenditure or any authorized agent of that person; and

(C) Not made in concert with or at the request or suggestion of any candidate or any authorized committee or agent of the candidate;

(4) "Independent expenditure committee" means any person who:

(A) Receives contributions from one (1) or more persons in order to make an independent expenditure; and

(B) Is registered pursuant to Arkansas Code § 7-6-227 prior to making expenditures;

(5)(A) "Person" means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.

(B) It shall also include:

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

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

(iii) County political party committees; and

(iv) Legislative caucus committees; and

(6)(A) "Printed campaign materials" means:

(i) Literature mailed to an elector that is intended to or calculated to influence the vote of an elector in an election in this state, including without limitation:

- (a) Signs;
- (b) Banners;
- (c) Flyers; and
- (d) Pamphlets; and

(ii) Yard signs and push cards intended to or calculated to influence the vote of an elector in an election in this state.

(B) "Printed campaign materials" does not mean political paraphernalia, including without limitation:

- (i) Stickers;
- (ii) Buttons;
- (iii) Pens;
- (iv) T-shirts;
- (v) Nail files; or
- (vi) Other similar trinkets.

**7 CAR § 6-102. Registration by independent expenditure committees.**

(a)(1)(A) To qualify as an independent expenditure committee, the committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions or making independent expenditures during a calendar year that exceed two hundred dollars (\$200) in the aggregate.

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

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

(2)(A) The committee shall designate a resident agent who shall be an individual who resides in the State of Arkansas.

(B) No contribution shall be accepted from a committee and no expenditure shall be made by a committee that has not registered and does not have a resident agent.

(3) An out-of-state committee shall be required to comply with the registration and reporting provisions of this part if the committee makes an independent expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than five hundred dollars (\$500) during a calendar year.

(b) The registration form of an independent expenditure committee shall contain the following information:

(1)(A) The name, address, and, where available, phone number of the committee and the name, address, phone number, and place of employment of each of its officers.

(B) If the committee's name is an acronym, then both it and the words forming the acronym shall be disclosed;

(2) The full name and street address, city, state, and zip code of each financial institution the committee uses for purposes of receiving contributions or making expenditures within the State of Arkansas;

(3) A written acceptance of designation as a resident agent;

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

(5) A clause submitting the committee to the jurisdiction of the State of Arkansas for all purposes related to compliance with the provisions of Arkansas Code § 7-6-201 et seq.; and

(6) 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 sources within the four-year period immediately preceding the date the independent expenditure was made.

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

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

**7 CAR § 6-103. Reporting of independent expenditures.**

(a) A person who or an independent expenditure committee which makes independent expenditures in an aggregate amount or value in excess of two hundred dollars (\$200) in a calendar year shall file reports with the Secretary of State:

(1)(A) No later than fifteen (15) days following the month in which the two-hundred-dollar threshold required under this section is met, the first financial report shall be filed.

(B) Each subsequent report shall be filed no later than 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.

(C) For any month in which certain days of that month are included in a preelection financial report required under subdivision (a)(2) of this section, no monthly report for that month shall be due, but those days of that month shall be carried forward and included in the final financial report;

(2) No later than seven (7) days prior to preferential primary elections, runoff elections, general elections, and special elections covering the period ending ten (10) days prior to such elections; and

(3) As for a final report, no later than thirty (30) days after the end of the month in which the last election is held at which the candidate seeks nomination or election.

(b) Such reports shall include:

(1) In the case of an individual making such an expenditure, the name, address, telephone number, principal place of business, employer, and occupation of the individual;

(2) In the case of a committee, the name, address, employer, and occupation of its officers;

(3) In the case of a person who is not an individual, the principal name of the entity, the address, and the name, address, employer, and occupation of its officers;

(4) The total amount of contributions received, with loans stated separately, and the total amount of expenditures made during the filing periods, and the cumulative amount of those totals;

(5) The name and address of each person who made a contribution or contributions that in the aggregate exceeded two hundred dollars (\$200);

(6) The contributor's principal place of business, employer, occupation, the amount contributed, the date the contribution was accepted by the committee, and the aggregate contributed for each election;

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

(8) An itemization of all single expenditures made which exceed one hundred dollars (\$100), including the:

(A) Amount of the expenditure;

(B) Name and address of any person to whom the expenditure was made; and

(C) Date the expenditure was made;

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

(10) A list of all expenditures by categories, including, but not limited to:

(A) Television, radio, print, and other advertising;

(B) Direct mail;

(C) Office supplies;

(D) Rent;

(E) Travel;

(F) Expenses;

(G) Entertainment; and

(H) Telephone;

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

(12) The current balance of committee funds.

(c) The information required in subdivisions (b)(4) – (10) of this section may be provided in the form of schedules attached to the report.

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

(e)(1) A report is timely filed if it is filed in electronic form through the official website of the Secretary of State on or before the date that the report is due.

(2)(A) The Secretary of State shall receive reports in a readable electronic format that is:

(i) Acceptable to the Secretary of State; and

(ii) Approved by the Arkansas Ethics Commission.

(B) The commission shall approve the format used by the Secretary of State for the filing of independent expenditure reports in electronic form to ensure that all required information is requested.

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

(3)(A) A person required to file reports or register in paper form under Arkansas Code § 7-6-220 may file reports or register in paper form if:

(i) The person does not have access to the technology necessary to submit reports or registration in electronic form; and

(ii) Submitting reports or registration in electronic form would constitute a substantial hardship for the person.

(B) A person filing reports or registration in paper form under subdivision (e)(3)(A) of this section shall submit with its first report or registration a notarized affidavit on a form prepared by the Secretary of State declaring that:

(i) The person does not have access to the technology necessary to submit reports or registration in electronic form;

(ii) Submitting reports or registration in electronic form would constitute a substantial hardship for the person; and

(iii) The person agrees to file all other reports in paper form for the duration of the period of registration.

(4) The Secretary of State shall:

(A) Not accept a report or registration in paper form under subdivision (e)(3)(A) of this section if a notarized affidavit was not submitted with the:

(i) Registration of a political action committee; or

(ii) First report of a person or independent expenditure committee;

(B) Provide written notice to the political action committee within five (5) business days if the registration in paper form was not filed or accepted;

(C) Provide written notice to a political action committee, person, or independent expenditure committee within five (5) business days if a report in paper form was not filed or accepted; and

(D) Provide the reason the registration or report in paper form was not filed or accepted.

(5) The Secretary of State shall make available to persons wishing to file reports in paper form under Arkansas Code § 7-6-231:

(A) Information on the deadlines for filing required reports; and

(B)(i) Appropriate forms and instructions for complying with the deadlines.

(ii) The Arkansas Ethics Commission shall approve the forms and instructions used by the Secretary of State under Arkansas Code § 7-6-231 to ensure that all required information is requested.

(6) Reports shall be filed on the forms furnished by the Secretary of State, except that computer-generated contribution and expenditure reports shall be accepted

by the Secretary of State and the commission provided that all of the requisite elements are included.

(7)(A) A report submitted in paper form under Arkansas Code § 7-6-231 other than a preelection report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, and postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on or before the date that the report is due.

(B) A preelection report submitted in paper form under Arkansas Code § 7-6-231 is timely filed if it is received by the Secretary of State no later than seven (7) days before the election for which it is filed.

(C) The Secretary of State shall accept a report via facsimile, provided the original is received by the Secretary of State within ten (10) days of the date of facsimile transmission.

(8)(A) The Secretary of State shall make available reports submitted in paper form on a portion of the official website of the Secretary of State.

(B) The Secretary of State shall comply with the requirements of Arkansas Code § 7-6-214(c) regarding the “paper filer” designation and publication requirements for all reports submitted in paper form.

#### **7 CAR § 6-104. Out-of-state independent expenditure committees.**

(a) An out-of-state independent expenditure committee is required to comply with the registration provisions of 7 CAR § 6-102 and is subject to the jurisdiction of the State of Arkansas for all purposes related to compliance with the registration provisions of Arkansas Code § 7-6-201 et seq., if the committee makes an independent expenditure or independent expenditures within the State of Arkansas that in the aggregate exceed more than five hundred dollars (\$500) during a calendar year.

(b) An out-of-state independent expenditure committee is required to comply with the reporting provisions of 7 CAR § 6-103 and is subject to the jurisdiction of the State of Arkansas for all purposes related to compliance with the reporting provisions of Arkansas Code § 7-6-201 et seq., if the committee makes an independent expenditure

or independent expenditures within the State of Arkansas that in the aggregate exceed more than two hundred dollars (\$200) during a calendar year.

**7 CAR § 6-105. Paid for by disclaimer.**

(a)(1)(A) All articles, statements, or communications appearing in any newspaper printed or circulated in this state intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "Paid Political Advertisement", "Paid Political Ad", or "Paid for by" the candidate, committee, or person who paid for the message.

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

(2)(A) In addition, all articles, statements, or communications appearing in any radio, television, or any other electronic medium intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "Paid Political Advertisement", "Paid Political Ad", "Paid for by", "Sponsored by", or "Furnished by" the true sponsor of the advertisement.

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

(b)(1) Printed campaign materials as defined in 7 CAR § 6-101(6), shall clearly contain the words "Paid for by" followed by the name of the candidate, committee, or person who paid for the:

- (A) Campaign sign;
- (B) Campaign literature; or
- (C) Other printed campaign materials.

(2) Subdivision (b)(1) of this section applies only to campaign signs, campaign literature, and other printed campaign materials created by or sponsored by:

- (A) A political candidate;

- (B) The campaign of a political candidate;
- (C) A political action committee;
- (D) An independent expenditure committee; or
- (E) Persons making independent expenditures.

(3) When the printed campaign material is a two-sided sign, the "Paid for by" language required by this subsection shall appear on both sides of the sign.

**7 CAR § 6-106. Penalties.**

(a) If the Arkansas Ethics Commission finds that a person or an independent expenditure committee has committed a violation of Arkansas Code § 7-6-220, § 7-6-227, or both, then it may do one (1) or more of the following:

(1) Impose a fine of not less than fifty dollars (\$50.00) and not more than three thousand five hundred dollars (\$3,500); or

(2) Issue a public letter of:

- (A) Caution;
- (B) Warning; or
- (C) Reprimand.

(b) In addition, a committee failing to file an amendment within ten (10) days as required by 7 CAR § 6-102(c) shall be subject to a late filing fee of ten dollars (\$10.00) for each day the change is not filed.

**7 CAR § 6-107. Records retention.**

(a)(1) An independent expenditure committee required to comply with the registration requirements of 7 CAR § 6-102 shall maintain for a period of four (4) years records evidencing the name, address, and place of employment of each person that contributed to the independent expenditure committee, along with the amount contributed.

(2) Such a committee shall also maintain for a period of four (4) years records evidencing each independent expenditure made by the committee, along with the amount of each expenditure.

(b) A person required to comply with the reporting requirements of 7 CAR § 6-103 shall maintain for a period of four (4) years records evidencing each independent expenditure made by the person, along with the amount of each expenditure.

(c) 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 Arkansas Code § 7-6-201.

**7 CAR § 6-108. Administrative expenses of independent expenditure committees.**

It is permissible for an independent expenditure committee to pay reasonable administrative expenses out of the contributions it has received.

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

As Engrossed: S3/5/25

## A Bill

SENATE BILL 351

5 By: Senator J. Dismang  
6 By: Representative Eaves  
7

### For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING ETHICS AND  
10 CAMPAIGN FINANCE; TO AMEND PORTIONS OF INITIATED ACT  
11 1 OF 1990; TO AMEND PORTIONS OF INITIATED ACT 1 OF  
12 1996; AND FOR OTHER PURPOSES.  
13  
14

### Subtitle

15 TO AMEND THE LAW CONCERNING ETHICS AND  
16 CAMPAIGN FINANCE; TO AMEND PORTIONS OF  
17 INITIATED ACT 1 OF 1990; AND TO AMEND  
18 PORTIONS OF INITIATED ACT 1 OF 1996.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 7-6-203(a)(1), concerning a candidate's  
24 acceptance of campaign contributions and resulting from Initiated Act 1 of  
25 1996, is amended to add an additional subdivision to read as follows:

26 (C) It shall be unlawful for a prospective contributor  
27 other than those under subdivisions (a)(1)(A)(i)-(vi) of this section to make  
28 a contribution to:

29 (i) A candidate for public office; or

30 (ii) A person acting on the candidate's behalf.  
31

32 SECTION 2. Arkansas Code § 7-6-203(f)(4)(A)(iii), concerning a  
33 candidate's acceptance of campaign funds as personal income and resulting  
34 from Initiated Act 1 of 1996, is amended to read as follows:

35 (iii) If a candidate or officeholder is assessed a  
36 fine by the Arkansas Ethics Commission under § 7-6-218(b)(4)(B) for the use



1 of campaign funds as personal income, a candidate or officeholder shall not  
2 use campaign funds or ~~carryover~~ remaining campaign funds to pay the fine.

3  
4 SECTION 3. Arkansas Code § 7-6-203(g)(2)(E), concerning a candidate's  
5 acceptance of campaign funds as personal income and resulting from Initiated  
6 Act 1 of 1996, is amended to read as follows:

7 (E) If a candidate or officeholder uses campaign funds or  
8 ~~carryover~~ remaining campaign funds to pay a fine imposed by the Arkansas  
9 Ethics Commission under § 7-6-218(b)(4)(B) for the use of campaign funds as  
10 personal income, the candidate or officeholder shall be deemed to have taken  
11 campaign funds as personal income.

12  
13 SECTION 4. Arkansas Code § 7-6-206(a), concerning records of  
14 contributions and expenditures for campaign finance, is amended to read as  
15 follows:

16 (a) A candidate, ~~a political party, or~~ a person acting in the  
17 candidate's behalf, a political party, a county political party committee, a  
18 political action committee, an independent expenditure committee, or a person  
19 making independent expenditures shall keep records of all contributions and  
20 expenditures in a manner sufficient to evidence compliance with ~~§§ 7-6-207—~~  
21 ~~7-6-210~~ § 7-6-201 et seq.

22  
23 SECTION 5. Arkansas Code § 7-6-207(a)(1)(F), concerning records of  
24 contributions and expenditures for campaign finance and resulting from  
25 Initiated Act 1 of 1996, is amended to read as follows:

26 (F)(i) If a candidate keeps remaining campaign funds after  
27 an election, but does not have any activity before the end of the year, the  
28 candidate shall not be required to file a fourth quarter report.

29 (ii) If a candidate keeps remaining campaign funds  
30 ~~and or~~ raises campaign funds for a future campaign, or expends campaign funds  
31 for office holder expenses or a future election, the candidate shall continue  
32 filing the reports required by this subsection.

33 (iii) If a candidate keeps remaining campaign funds  
34 after an election, the candidate shall continue filing the reports required  
35 by this subsection.

36

1 SECTION 6. Arkansas Code § 7-6-207(b)(2)(B), concerning records of  
2 contributions and expenditures for campaign finance and resulting from  
3 Initiated Act 1 of 1996, is amended to read as follows:

4 (B) If a candidate's campaign has ended and the candidate  
5 is retaining remaining campaign funds, the final report shall also indicate  
6 the amount of funds retained by the candidate ~~in accordance with § 7-6-201(3)~~  
7 ~~{repealed}~~ as remaining campaign funds.

8  
9 SECTION 7. Arkansas Code § 7-6-208(b)(2)(A), concerning reports of  
10 contributions for candidates for school district, township, or municipal  
11 office and resulting from Initiated Act 1 of 1996, is amended to read as  
12 follows:

13 (2)(A) When the candidate's campaign has ended, the final report  
14 shall also indicate which option under § 7-6-203(g) was used to dispose of  
15 any surplus of campaign funds, the amount of funds disposed of by the  
16 candidate, and the amount of funds retained by the candidate ~~in accordance~~  
17 ~~with § 7-6-201(3) {repealed}~~ as remaining campaign funds.

18  
19 SECTION 8. Arkansas Code § 7-6-209(b)(2)(A), concerning reports of  
20 contributions for candidates for county offices and resulting from Initiated  
21 Act 1 of 1996, is amended to read as follows:

22 (2)(A) When the candidate's campaign has ended, the final report  
23 shall also indicate which option under § 7-6-203(g) was used to dispose of  
24 any surplus of campaign funds, the amount of funds disposed of by the  
25 candidate, and the amount of funds retained by the candidate ~~in accordance~~  
26 ~~with § 7-6-201(3) {repealed}~~ as remaining campaign funds.

27  
28 SECTION 9. Arkansas Code § 7-6-215(d)(6), concerning registration and  
29 reporting by approved political action committees and resulting from  
30 Initiated Act 1 of 1996, is amended to read as follows:

31 (6)(A) ~~A political action committee shall indicate on its~~  
32 ~~quarterly report for the fourth quarter of each calendar year whether or not~~  
33 ~~it intends to terminate its registration for the next calendar year.~~

34 (B) ~~If a quarterly report for the fourth quarter is filed~~  
35 ~~in paper form, the form utilized by the Secretary of State for filing shall~~  
36 ~~require the political action committee to indicate whether or not it intends~~

1 ~~to terminate its registration for the next calendar year.~~

2           ~~(C)~~ If the Secretary of State offers electronic filing of  
3 political action committee reports, the format used by the Secretary of State  
4 for the filing of political action committee reports in electronic form shall  
5 require a political action committee indicating that it intends to terminate  
6 its registration for the next calendar year to terminate its registration for  
7 the next calendar year before submitting its quarterly report for the fourth  
8 quarter.

9           ~~(D)~~(B) If a political action committee does not file any  
10 quarterly reports for a period of two (2) years, the Secretary of State shall  
11 terminate the political action committee's registration due to inactivity.

12  
13           SECTION 10. Arkansas Code § 7-6-216(c), concerning registration and  
14 reports by exploratory committees and resulting from Initiated Act 1 of 1990,  
15 is amended to read as follows:

16           (c) ~~Within thirty (30) days of the end of each month,~~ No later than  
17 twenty (20) days after the end of each month, an exploratory committee shall  
18 file a report with the appropriate filing office indicating:

19           (1) The total amount of contributions received during the filing  
20 period;

21           (2) The name and address of each person who has made a  
22 contribution which, in the aggregate, exceeds two hundred dollars (\$200),  
23 along with the contributor's principal place of business, employer,  
24 occupation, and the amount contributed; and

25           (3) The total amount of expenditures made and, for each single  
26 expenditure that exceeds one hundred dollars (\$100), an itemization,  
27 including the amount of the expenditure, the name and address of the person  
28 to whom the expenditure was made, and the date the expenditure was made.

29  
30           SECTION 11. Arkansas Code § 7-6-220(a)(1)(B), concerning the report of  
31 independent expenditures and resulting from Initiated Act 1 of 1996, is  
32 amended to read as follows:

33           (B) Each subsequent report shall be filed no later than  
34 ~~fifteen (15)~~ twenty (20) days after the end of each month until the election  
35 is held, except as required in subdivision (a)(1)(C) of this section.

36

1 SECTION 12. Arkansas Code § 7-6-227(a)(1)(A), concerning registration  
2 by an independent expenditure committee, is amended to read as follows:

3 (a)(1)(A) An independent expenditure committee shall register with the  
4 Secretary of State within fifteen (15) days after accepting contributions or  
5 making independent expenditures that exceed ~~five hundred dollars (\$500)~~ two  
6 hundred dollars (\$200) in the aggregate during a calendar year.

7  
8 SECTION 13. Arkansas Code § 7-6-228(c)(2), concerning campaign signs  
9 and campaign materials, is amended to read as follows:

10 (2) Subdivision (c)(1)(A) of this section applies only to  
11 campaign signs, campaign literature, and other printed campaign materials  
12 created by or sponsored by a political candidate, the campaign of a political  
13 candidate, a political action committee, ~~or~~ an independent expenditure  
14 committee, or persons making independent expenditures.

15  
16 SECTION 14. Arkansas Code § 7-9-402(2)(B), concerning the definition  
17 of "ballot question committee" as it relates to matters referred to voters,  
18 is amended to read as follows:

19 (B) A person other than an individual or an approved  
20 political action committee as defined in § 7-6-201, located within or outside  
21 Arkansas, also qualifies as a ballot question committee if an amount equal to  
22 two percent (2%) or more of its annual revenues, operating expenses, or funds  
23 ~~are~~ for the most recently completed year is used to make a contribution or  
24 contributions to another ballot question committee and if the contribution or  
25 contributions exceed ten thousand dollars (\$10,000) in value;

26  
27 SECTION 15. Arkansas Code § 7-9-402(10)(B), concerning the definition  
28 of "legislative question committee" as it relates to matters referred to  
29 voters, is amended to read as follows:

30 (B) A person other than an individual or an approved  
31 political action committee as defined in § 7-6-201, located within or outside  
32 Arkansas, also qualifies as a legislative question committee if an amount  
33 equal to two percent (2%) or more of its annual revenues, operating expenses,  
34 or funds ~~are~~ for the most recently completed year is used to make a  
35 contribution or contributions to another legislative question committee and  
36 if the contribution or contributions exceed ten thousand dollars (\$10,000) in

1 value;

2

3 SECTION 16. Arkansas Code § 7-9-409(a)(3), concerning time for filing  
4 financial reports for matters referred to voters, is amended to read as  
5 follows:

6 (3)(A) ~~Furthermore, a~~ A final financial report shall be filed no  
7 later than thirty (30) days after the election.

8 (B) If a ballot question fails to qualify for the ballot  
9 or is disqualified, the final financial report required under subdivision  
10 (a)(3)(A) of this section shall be filed no later than thirty (30) days after  
11 the end of the month in which the ballot question fails to qualify for the  
12 ballot or is disqualified.

13

14 SECTION 17. Arkansas Code Title 7, Chapter 9, Subchapter 4, is amended  
15 to add an additional section to read as follows:

16 7-9-416. Contributions and expenditures for campaign signs, campaign  
17 literature, and printed campaign materials.

18 (a) A ballot question committee, a legislative question committee, an  
19 individual person, or an elected official who receives contributions or makes  
20 expenditures to support or oppose a ballot question or legislative question:

21 (1) May reuse the campaign signs, campaign literature, and other  
22 printed campaign materials in future initiative campaigns that have been  
23 properly reported in a previous campaign by that committee, individual  
24 person, or elected official; and

25 (2) Is not required to list the campaign signs, campaign  
26 literature, and other printed campaign materials under subdivision (a)(1) of  
27 this section in future reports filed under this subchapter.

28 (b)(1) Campaign signs, campaign literature, and other printed campaign  
29 materials under subsection (a) of this section shall clearly contain the  
30 words "Paid for by" followed by the name of the committee, individual person,  
31 or elected official who paid for the campaign sign, campaign literature, or  
32 other printed campaign materials.

33 (2) The ballot question committee, legislative question  
34 committee, individual person, or elected official printing the campaign sign,  
35 campaign literature, or other printed campaign materials shall be responsible  
36 for including the language required under subdivision (b)(1) of this section.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

SECTION 18. Arkansas Code § 21-8-703(a), concerning the place and manner for filing a statement of financial interest, is amended to add an additional subdivision to read as follows:

(7) Executive directors of education service cooperatives required to file shall file with the county clerk.

*/s/J. Dismang*

**APPROVED: 4/14/25**

1 State of Arkansas As Engrossed: H4/3/25 S4/9/25

2 95th General Assembly

# A Bill

3 Regular Session, 2025

HOUSE BILL 1837

4

5 By: Representative McAlindon

6 By: Senator K. Hammer

7

8

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING DISCLOSURE FOR  
10 MATTERS REFERRED TO VOTERS; TO BAN FOREIGN FUNDING  
11 FOR BALLOT MEASURES; TO AMEND PORTIONS OF THE  
12 ARKANSAS CODE THAT RESULTED FROM INITIATED ACT 1 OF  
13 1996; AND FOR OTHER PURPOSES.

14

15

16

## Subtitle

17 TO AMEND THE LAW CONCERNING DISCLOSURE  
18 FOR MATTERS REFERRED TO VOTERS; AND TO  
19 BAN FOREIGN FUNDING FOR BALLOT MEASURES;  
20 TO AMEND PORTIONS OF THE ARKANSAS CODE  
21 THAT RESULTED FROM INITIATED ACT 1 OF  
22 1996.

23

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

25

26 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

27 The General Assembly finds that:

28 (1) It is vital to the operation of an effective democracy for  
29 the people to have full and complete confidence in their elections;

30 (2) It is crucial that those elections be free of unwanted  
31 foreign influence; and

32 (3) It is the intent of the General Assembly to prevent foreign  
33 contributions from influencing the outcome of Arkansas elections.

34

35 SECTION 2. Arkansas Code § 7-6-201, concerning definitions for  
36 campaign financing, resulting from Initiated Act 1 of 1996, is amended to add



1 an additional subdivision to read as follows:

2 (19) "Prohibited sources" means the same as defined in § 7-9-  
3 402.

4  
5 SECTION 3. Arkansas Code § 7-6-220(b), concerning contents of the  
6 report for independent expenditures in campaign financing and resulting from  
7 Initiated Act 1 of 1996, is amended to add an additional subdivision to read  
8 as follows:

9 (5) An affirmation by the individual, committee, or entity  
10 making the independent expenditure that the individual, committee, or entity  
11 has not knowingly or willfully accepted donations in excess of ten thousand  
12 dollars (\$10,000) in the aggregate from one (1) or more prohibited sources  
13 within the four-year period immediately preceding the date the independent  
14 expenditure was made.

15  
16 SECTION 4. Arkansas Code § 7-9-402, concerning definitions for  
17 disclosure matters referred to voters, is amended to add additional  
18 subdivisions to read as follows:

19 (13) "Directly or indirectly" means acting either alone or 10  
20 jointly with, through, or on behalf of any other:

21 (A) Ballot question committee;

22 (B) Legislative question committee;

23 (C) Political action committee;

24 (D) Organization;

25 (E) Person; or

26 (F) Other entity;

27 (14) "Foreign national" means:

28 (A) An individual who is not a citizen or lawful permanent  
29 resident of the United States;

30 (B) A government or subdivision of a foreign country; or

31 (C) A foreign political party;

32 (D) An entity, including without limitation a partnership,  
33 association, corporation, organization, or other combination of persons, that  
34 is organized under the laws of, or has its principal place of business in, a  
35 foreign country; or

36 (E) A partnership, association, corporation, or

1 organization, which is wholly or majority owned by a foreign national,  
2 unless:

3 (i) A contribution or expenditure the entity makes  
4 derives entirely from funds generated by the entity's operations; and

5 (ii) All decisions concerning the contribution or  
6 expenditure are made by individuals who are United States citizens or  
7 permanent residents, except for setting overall budget amounts;

8 (15) "Independent expenditure" means the same as defined in § 7-  
9 6-201;

10 (16) "Preliminary activity" includes:

11 (A) Conducting a poll;

12 (B) Drafting ballot question language;

13 (C) Drafting legislative question language;

14 (D) Conducting a focus group;

15 (E) Conducting telephone calls; or

16 (F) Traveling in connection with a ballot question or  
17 legislative question activity;

18 (17) "Prohibited sources" includes:

19 (A) A prohibited political action committee as defined in  
20 § 7-6-201;

21 (B) A political action committee that accepts one (1) or  
22 more contributions from a foreign national;

23 (C) An organization that is funded by a political action  
24 committee that accepts one (1) or more contributions from a foreign national;

25 (D) Contributions from or expenditures by a foreign  
26 national; and

27 (E) Contributions or expenditures that violate state or  
28 federal law; and

29 (18)(A) "Tax-exempt organization" means an organization that  
30 qualifies as exempt from federal income tax under § 501(c) of the Internal  
31 Revenue Code of 1986, as it existed on January 1, 2025.

32 (B) This subchapter shall not be construed to treat a  
33 political organization under § 527 of the Internal Revenue Code of 1986, as  
34 it existed on January 1, 2025, as a tax-exempt organization for purposes of  
35 this subchapter.

36

1 SECTION 5. Arkansas Code § 7-9-407(2), concerning the information  
2 contained in financial reports submitted by a ballot question committee or a  
3 legislative question committee, is amended to add an additional subdivision  
4 to read as follows:

5 (E) For a ballot question committee as defined under § 7-  
6 9-402(2) or a legislative question committee as defined in § 7-9-402(10):

7 (i) An affirmation that the ballot question  
8 committee or legislative question committee has not knowingly or willfully  
9 received, solicited, or accepted contributions or expenditures from a  
10 prohibited source; and

11 (ii) An affirmation by the treasurer of the ballot  
12 question committee or legislative question committee that to the best of the  
13 treasurer's knowledge the donor associated with each contribution is not a  
14 foreign national and has not knowingly or willfully received, solicited, or  
15 accepted, whether directly or indirectly, contributions or expenditures from  
16 one (1) or more prohibited sources in excess of ten thousand dollars  
17 (\$10,000) in the aggregate within the four-year period immediately preceding  
18 the date of the contribution;

19  
20 SECTION 6. Arkansas Code Title 7, Chapter 9, Subchapter 4, is amended  
21 to add additional sections to read as follows:

22 7-9-416. Prohibited sources of funding.

23 (a) Upon registering as a ballot question committee or legislative  
24 question committee, the treasurer of the committee shall file an accompanying  
25 certification that no preliminary activity was directly funded by prohibited  
26 sources, whether directly or indirectly.

27 (b) After the ballot question committee or legislative question  
28 committee has been registered, the committee shall not knowingly or willfully  
29 receive, solicit, or accept contributions or expenditures from a prohibited  
30 source, whether directly or indirectly.

31 (c) A person who makes an independent expenditure in support of or in  
32 opposition to a ballot question committee or legislative question committee  
33 in excess of ten thousand dollars (\$10,000) in the aggregate shall keep  
34 records of any contribution or expenditure and retain such records as  
35 prescribed under § 7-9-410 from the date of receipt of the contribution or  
36 expenditure.

1  
2 7-9-417. Donor certification of no affiliation with prohibited  
3 sources.

4 (a) Upon receipt of a contribution in excess of ten thousand dollars  
5 (\$10,000) to a ballot question committee or legislative question committee,  
6 the treasurer of the ballot question committee or legislative question  
7 committee shall obtain from the donor associated with a contribution in  
8 excess of ten thousand dollars (\$10,000) in the aggregate an affirmation that  
9 the donor:

10 (1) Is not a foreign national; and

11 (2) Has not knowingly or willfully accepted donations in excess  
12 of ten thousand dollars (\$10,000) in the aggregate from one (1) or more  
13 prohibited sources within the four-year period immediately preceding the date  
14 the contribution is made.

15 (b) An individual, committee, or entity making one (1) or more  
16 independent expenditures in excess of ten thousand dollars (\$10,000)  
17 supporting or opposing a ballot question or legislative question shall  
18 certify to the Attorney General that the individual, committee, or entity has  
19 not knowingly or willfully accepted donations in excess of ten thousand  
20 dollars (\$10,000) in the aggregate from one (1) or more prohibited sources  
21 within the four-year period immediately preceding the date the independent  
22 expenditure is made and that it will not do so through the remainder of the  
23 calendar year in which the ballot question or legislative question will  
24 appear on the ballot.

25  
26 7-9-418. Prohibited influence by a foreign national.

27 (a) A foreign national shall not direct, dictate, control, or directly  
28 or indirectly participate in the decision-making process of any person with  
29 regard to that person's activities to influence a ballot question or  
30 legislative question, including without limitation decisions concerning the  
31 making of contributions or expenditures to influence a ballot question or  
32 legislative question.

33 (b) A foreign national shall not solicit, directly or indirectly, the  
34 making of a donation, contribution, or expenditure by another person to  
35 influence a ballot question or legislative question.

36 (c) Nothing in this subchapter shall create or eliminate any existing

1 donor disclosure rights or duties beyond those specifically stated in §§ 7-9-  
2 416 – 7-9-420.

3  
4 7-9-419. Enforcement for violations of ban on foreign funding for  
5 ballot questions and legislative questions.

6 (a)(1) The Attorney General may bring a civil action to enforce §§ 7-  
7 9-416 – 7-9-420.

8 (2) An individual, committee, or entity alleged to have violated  
9 any provision under §§ 7-9-416 – 7-9-420 shall be provided a full opportunity  
10 of notice, discovery, and an opportunity to be heard before being found  
11 liable for a violation of any provision under §§ 7-9-416 – 7-9-420.

12 (b) If the Attorney General prevails in an action brought under § 7-9-  
13 419(a), the court shall award:

14 (1) Injunctive relief sufficient to prevent the defendant from  
15 violating this subchapter or engaging in acts that aid or abet violations of  
16 any provision under §§ 7-9-416 – 7-9-420; and

17 (2) Statutory damages up to twice the amount of the prohibited  
18 contribution or expenditure.

19 (c) In addition to the penalties in this section and any other  
20 remedies provided by law, if the court finds the defendant knowingly or  
21 willfully violated any provision under §§ 7-9-416 – 7-9-420, the court may  
22 assess a penalty of up to three (3) times the statutory damages.

23  
24 7-9-420. Restrictions on collection and release of donor information.

25 (a)(1) A lawful donor to a tax-exempt organization possesses a right  
26 of privacy in the lawful donor's donations.

27 (2) An investigation of an alleged violation of any provision  
28 under §§ 7-9-416 – 7-9-420 or a lawful court order in an action brought under  
29 § 7-9-419(a) shall occur in a manner that shields the identity of lawful  
30 donors to the extent possible.

31 (3) A governmental body shall not collect or require the  
32 submission of information on the identity of any donor to a tax-exempt  
33 organization other than those directly related to an alleged violation of §§  
34 7-9-416 – 7-9-420.

35 (4) Any collection or required submission of information by any  
36 governmental body regarding the identity of any donor to a tax-exempt

1 organization beyond that permitted by any provision under §§ 7-9-416 – 7-9-  
2 420 shall be deemed a violation of the Personal Information Protection Act, §  
3 4-110-101 et seq.

4 (b)(1) A governmental body shall not disclose to the public or another  
5 government official not directly involved in the investigation, information  
6 revealing the identity of any donor to a tax-exempt organization, unless the  
7 information is regarding the identity of a donor that engaged in conduct  
8 prohibited by any provision under §§ 7-9-416 – 7-9-420 after a final  
9 determination has been made that the donor violated any provision under §§ 7-  
10 9-416 – 7-9-420 or if the tax-exempt organization has triggered registration  
11 and reporting as a ballot question committee or a legislative question  
12 committee under this subchapter.

13 (2) Knowing or willful violations of this subsection shall be  
14 punishable under the Personal Information Protection Act, § 4-110-101 et seq.

15 (3) Any public disclosure of information revealing the identity  
16 of any donor to a tax-exempt organization by a governmental body incident to  
17 this section is a violation of the Personal Information Protection Act, § 4-  
18 110-101 et seq., unless the information is regarding the identity of a donor  
19 that engaged in conduct prohibited by any provision under §§ 7-9-416 – 7-9-  
20 420 after a final determination has been made that the donor violated any  
21 provision under §§ 7-9-416 – 7-9-420.

22  
23 /s/McAlindon

24  
25  
26 **APPROVED: 4/22/25**  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36