



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

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

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

**Short Title of Rule:** \_\_\_\_\_

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**Two Rules Repealed:**                      **Exception from the Governor:**  Exception requested

**First Rule Repealed:**              Rules on Campaign Contribution Limit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 Political Committees 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**Second Rule Repealed:**              N/A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.

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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.

**Summary of Proposed Amendments to 7 CAR § 5 et seq.**  
**(The Rules on Political Committees)**

**Purpose:**

The purpose of these proposed amendments is to bring 7 CAR § 5 et seq. (The Rules on Political Committees) into conformity with the legislation passed in 2025 during the 95<sup>th</sup> General Assembly of the Arkansas Legislature.

**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 § 5-111. Records retention by political action committees and county political party committees in subpart (c) “A county political party or a political action committee 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 9) amended Arkansas Code § 7-6-215(d)(6) and removed the requirement that a political action committee indicate in its 4<sup>th</sup> 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 re-register each year, per Act 552 of 2023. The proposed amendments would delete text, specifically 7 CAR § 5-103. Reporting by political action committees in subparts (l)(1) through (l)(3) that addressed PAC re-registration.

## **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.

Stricken language would be deleted from and underlined language would be added to the Code of Arkansas Rules.

# Proposed Rulemaking

Title

Promulgated by:  
Arkansas Ethics Commission

**Title 7. Elections**  
**Chapter I. Arkansas Ethics Commission**  
**Subchapter A. Generally**  
**Part 5. Rules on Political Committees**  
**Subpart 1. Generally**

**7 CAR § 5-101. Definitions.**

As used in this part:

(1)(A) "Approved political action committee" means any person who:

(i) Receives contributions from one (1) or more persons in order to make contributions to:

(a) Candidates;

(b) Campaign committees;

(c) Ballot question committees;

(d) Legislative question committees;

(e) Political parties;

(f) County political party committees; or

(g) Other political action committees;

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

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

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(B) An approved political action committee shall not include:

(i) An organized political party as defined in Arkansas Code § 7-1-101;

(ii) A county political party committee;

(iii) The candidate's own campaign committee;

(iv) An exploratory committee;

(v) A ballot question committee; or

(vi) A legislative question committee;

(2)(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, or pledges or promises 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 or in support of or opposition to a ballot or legislative question.

(B) "Contribution" shall include membership dues paid to a committee but not filing fees paid to a committee by candidates.

(C)(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 and 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 or persons whose expenditures the candidates or committee must report under Arkansas Code § 7-6-201 et seq.

(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.

(D) "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;

(3) "County political party committee" means a person that:

(A) Is organized at the county level for the purpose of supporting its affiliate party and making contributions;

(B) Is recognized by an organized political party, as defined in Arkansas Code § 7-1-101, as being affiliated with that political party;

(C) Receives contributions from one (1) or more persons in order to make contributions to:

(i) Candidates;

(ii) Campaign committees;

(iii) Ballot question committees;

(iv) Legislative question committees;

(v) Political parties;

(vi) Political action committees; or

(vii) Other county political party committees;

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

(E) Registers pursuant to Arkansas Code § 7-6-226 prior to making contributions;

(4)(A) "Legislative caucus committee" means a person that:

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(i) Is composed exclusively of members of the General Assembly;  
(ii) Elects or appoints officers and recognizes identified legislators as members of the organization; and  
(iii) Exists for research and other support of policy development and interests that the membership hold in common.

(B) A "legislative caucus committee" includes, but is not limited to, a political party caucus of the:

- (i) General Assembly;
- (ii) Senate; or
- (iii) House of Representatives.

(C) An organization whose only nonlegislator member is the Lieutenant Governor or the Governor is a "legislative caucus committee" for purposes of this part;

(5)(A) "Person" means any:

- (i) Individual;
- (ii) Proprietorship;
- (iii) Firm;
- (iv) Partnership;
- (v) Joint venture;
- (vi) Syndicate;
- (vii) Labor union;
- (viii) Business trust;
- (ix) Company;
- (x) Corporation;
- (xi) Association;
- (xii) Committee; or
- (xiii) Any other organization or group of persons acting in concert.

(B) It shall also include:

- (i) 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;
- (ii) County political party committees; and

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(iii) Legislative caucus committees;

(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)(A) "Prohibited political action committee" means any person who receives contributions from one (1) or more persons in order to make contributions to candidates, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees, but that does not meet the requirements of an approved political action committee.

(B) A prohibited political action committee shall not include:

(i) 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;

(ii) The candidate's own campaign committee;

(iii) A county political party committee;

(iv) An exploratory committee; or

(v) A ballot or legislative question committee; and

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(8)(A) "Remaining campaign funds" means any balance of campaign funds over expenses incurred as of the day of the election except for remaining campaign funds and any funds required to repay loans made by the candidate from his or her personal funds to the campaign or to repay loans made by financial institutions to the candidate and applied to the campaign.

(B) "Remaining campaign funds" does not include campaign signs, campaign literature, and other printed campaign materials that were:

- (i) Purchased by the campaign;
- (ii) Reported on the appropriate contribution and expenditure report for the campaign at the time of the purchase; and
- (iii) Retained for use in a future campaign by the same candidate.

**7 CAR § 5-102. Registration by political action committees.**

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

(B) Registration for a political action committee shall be active unless the committee has requested a termination of its registration.

(C) Except as provided in subdivision (a)(1)(D) of this section, 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.

(D)(i)(a) Registration with the Secretary of State under this part may be filed in electronic form through the official website of the Secretary of State if electronic filing is offered by the Secretary of State.

(b) An electronic registration shall be verified by an officer of the committee.

(ii) The Arkansas Ethics Commission shall approve a format used by the Secretary of State for registering as a committee to ensure that all required information is requested.

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(iii) A format used by the Secretary of State for registering as a committee in electronic form shall provide that a registration filed in electronic form be rejected by that office if it omits the name, street address, or telephone number of an individual designated as the resident agent for the committee.

(iv) The official website of the Secretary of State shall allow for searches of committee registration information filed in electronic form.

(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)(A) No approved political action committee shall accept a contribution from a prohibited political action committee as defined in 7 CAR § 5-101(7) of this part.

(B) It shall be unlawful for a prohibited political action committee as defined in 7 CAR § 5-101(7) of this part to make a contribution to:

- (i) A ballot question committee;
- (ii) A legislative question committee;
- (iii) A political party;
- (iv) A county political party committee;
- (v) An approved political action committee; or
- (vi) A prohibited political action committee.

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

(B) This section shall not apply to:

(i) The national committee of any political party that is registered with the Federal Election Commission;

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(ii) Any federal candidate committee that is registered with the Federal Election Commission;

(iii) Funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101; or

(iv) Funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101.

(b) The registration form of an approved political action 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 professional, business, trade, labor, or other interests represented by the committee, including any individual business, organization, association, corporation, labor organization, or other group or firm whose interests will be represented by the committee;

(3) 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;

(4) The name, street address, and telephone number of the individual designated as the resident agent for the committee and, if the registration form is filed in paper form, a written acceptance of designation as a resident agent;

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

(6) 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.

(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.

(d) Registration with the Secretary of State under this section may be filed in paper form if:

(1) The political action committee does not have access to the technology necessary to submit registration in electronic form;

(2) Submitting registration in electronic form would constitute a substantial hardship for the political action committee; and

(3) The political action committee submits a notarized affidavit that complies with Arkansas Code § 7-6-231.

### **7 CAR § 5-103. Reporting by political action committees.**

(a) Within fifteen (15) calendar days after the end of each calendar quarter, approved political action committees are required to file a quarterly report with the Secretary of State, including the following information:

(1) The total amount of contributions received and the total amount of contributions made during the filing (i.e., reporting) period and the cumulative amount of those totals;

(2) The current balance of committee funds;

(3) The name and address of each person that made a contribution or contributions to the committee that exceeded two hundred dollars (\$200) in the aggregate during the calendar year, the contributor's place of business, employer, occupation, the date of the contribution, the amount contributed, and the total contributed for the year;

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(4) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee, if any, to whom or which the committee made a contribution or contributions that exceeded two hundred dollars (\$200) in the aggregate during the filing period, with the amount contributed and the election for which the contribution was made;

(5) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee, if any, to whom or which the committee contributed a nonmoney item, together with:

- (A) A description of the item;
- (B) The date the item was contributed; and
- (C) The value of the item; and

(6) The total amount of expenditures made for administrative expenses and for each single expenditure that exceeds one hundred dollars (\$100), an itemization including the:

- (A) Amount of the expenditure;
- (B) Name and address of the person to which the expenditure was made;

and

- (C) Date the expenditure was made.

(b) The reports may be filed in electronic form through the official website of the Secretary of State if electronic filing is offered by the Secretary of State.

(c) The information required in subdivisions (a)(1) – (6) of this section may be provided in the form of schedules attached to a report filed in paper form.

(d) The reports 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 so 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 if the Secretary of State offers electronic filing of committee reports.

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

(B) The commission shall approve the format used by the Secretary of State for the filing of political action committee 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 committee report information filed in electronic form.

(f)(1) A person required to file reports or register in electronic form under Arkansas Code § 7-6-215 may file reports or register in paper form under this section if:

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

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

(2) A person filing reports or registration in paper form under subdivision (f)(1) 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:

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

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

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

(g) The Secretary of State shall:

(1) Not accept a report or registration in paper form under subdivision (f)(1) of this section if a notarized affidavit was not submitted with the:

(A) Registration of a political action committee; or

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

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

(3) 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

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

(h) The Secretary of State shall make available to persons wishing to file reports in paper form under this section:

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

(2)(A) Appropriate forms and instructions for complying with the deadlines.

(B) The commission shall approve the forms and instructions used by the Secretary of State under this section to ensure that all required information is requested.

(i) 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.

(j)(1)(A) A report submitted in paper form under this section 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 this section 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.

(2) 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.

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(k)(1) The Secretary of State shall make available reports submitted in paper form on a portion of the official website of the Secretary of State.

(2) 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.

~~(1)(1) A committee shall indicate on its quarterly report for the fourth quarter of each calendar year whether or not it intends to terminate its registration for the next calendar year.~~

~~————(2) If a fourth quarter report is filed in paper form, the form utilized by the Secretary of State for filing shall require the committee to indicate whether or not it intends to terminate its registration for the next calendar year.~~

~~————(3) If the Secretary of State offers electronic filing of committee reports, the format used by the Secretary of State for the filing of committee reports in electronic format shall require a committee indicating that it intends to terminate its registration for the next calendar year to terminate its registration for the next calendar year before submitting its quarterly report for the fourth quarter.~~

~~(4)(3)~~ If a political action committee does not file any quarterly reports for a period of two (2) years, the Secretary of State shall terminate the political action committee's registration due to inactivity.

#### **7 CAR § 5-104. Penalties for political action committees.**

(a) If the Arkansas Ethics Commission finds that a person or political action committee has committed a violation of Arkansas Code § 7-6-215, then it shall do one (1) or more of the following, unless good cause be shown for the violation:

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

(2) Issue a public letter of:

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

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(3) Order the respondent to file or amend a statutorily required disclosure form; or

(4) Report its finding, along with such information and documents as it deems appropriate, and make recommendations to the proper law enforcement authorities.

(b) In addition, the commission may impose a late filing fee not exceeding ten dollars (\$10.00) for each day a required amendment of the information contained in a registration form remains unfiled by a political action committee.

**7 CAR § 5-105. Legislative caucus committees.**

A legislative caucus committee is required to comply with the registration and reporting provisions of 7 CAR §§ 5-102 and 103 of this part, including the designation of a resident agent who is an individual who resides in the State of Arkansas and the establishment of an account in a financial institution, if the committee contributes more than five hundred dollars (\$500) in a calendar year to:

- (1) Candidates;
- (2) Campaign committees;
- (3) Ballot question committees;
- (4) Legislative question committees;
- (5) Political parties;
- (6) County political party committees; or
- (7) Political action committees.

**7 CAR § 5-106. Out-of-state political action committees.**

(a) An out-of-state political action committee, including a federal committee, is required to comply with the registration and reporting provisions of 7 CAR §§ 5-102 and 103 and is subject 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., if the committee contributes more than five hundred dollars (\$500) in a calendar year to candidates, campaign committees, ballot question committees, legislative question committees,

political parties, county political party committees, or other political action committees within the State of Arkansas.

(b) This section shall not apply to:

(1) The national committee of any political party that is registered with the Federal Election Commission;

(2) Any federal candidate committee that is registered with the Federal Election Commission;

(3) Funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101; or

(4) Funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101.

**7 CAR § 5-107. 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.

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(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 § 5-101(6) of this part, 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.

(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 § 5-108. Registration by county political party committees.**

(a)(1)(A) To qualify as a county political party committee, a committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions during a calendar year which, in the aggregate, exceed five thousand dollars (\$5,000).

(B) The registration is to 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 of the form shall be verified by an affidavit of an officer of the committee.

(2)(A) The committee is required to appoint a treasurer who is a qualified elector of 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 which does not have a treasurer.

(3)(A) No county political party committee shall accept a contribution from a prohibited political action committee as defined in 7 CAR § 5-101(7).

(B) It shall be unlawful for a prohibited political action committee as defined in 7 CAR § 5-101(7) to make a contribution to a county political party committee.

(b) The committee is required to disclose on the registration form the following information:

(1)(A) The name, address, and, when 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 the acronym and the words forming the acronym shall be disclosed;

(2) The political party with which the county political party committee is affiliated;

(3) The full name and street address, city, state, and zip code of the financial institution in the State of Arkansas that the committee designates as its official depository for the purposes of depositing all money contributions that it receives in this state and making all expenditures in this state; and

(4) A written acceptance of appointment by the treasurer.

**7 CAR § 5-109. Reporting by county political party committees.**

(a) Within fifteen (15) calendar days after the end of each calendar quarter, county political party committees are required to file a quarterly report with the Secretary of State, including the following information:

(1) The total amount of contributions received and the total amount of contributions made during the filing period and the cumulative amount of these totals;

(2) The current balance of committee funds;

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(3) The name and address of each person that made a contribution or contributions to the committee that exceeded two hundred dollars (\$200) in the aggregate, the contributor's place of business, employer, or occupation, the date of the contribution, the amount contributed, and the total contributed for the year;

(4) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee, if any, to whom or which the committee made a contribution or contributions that exceeded two hundred dollars (\$200) in the aggregate during the filing period, with the amount contributed and the election for which the contribution was made;

(5) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee, if any, to whom or which the committee contributed a nonmoney item, together with:

- (A) A description of the item;
- (B) The date the item was contributed; and
- (C) The value of the item;

(6) The total amount of expenditures made for administrative expenses and for each single expenditure that exceeds one hundred dollars (\$100) an itemization including the:

- (A) Amount of the expenditure;
- (B) Name and address of the person to which the expenditure was made;

and

- (C) Date the expenditure was made; and

(7) Any change in information required by this part.

(b) The reports 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.

(c)(1) A report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on the date that the report is due.

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

(3) The Secretary of State may receive reports in a readable electronic format acceptable to the Secretary of State and approved by the Arkansas Ethics Commission.

**7 CAR § 5-110. Penalties for county political party committees.**

If the Arkansas Ethics Commission finds that a person or county political party committee has committed a violation of Arkansas Code § 7-6-226, then it shall do one (1) or more of the following, unless good cause be shown for the violation:

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

(2) Issue a public letter of:

(A) Caution;

(B) Warning; or

(C) Reprimand;

(3) Order the respondent to file or amend a statutorily required disclosure form; or

(4) Report its finding, along with such information and documents as it deems appropriate and make recommendations to the proper law enforcement authorities.

**7 CAR § 5-111. Records retention by political action committees and county political party committees.**

(a) Each committee is required to maintain for a period of four (4) years records evidencing the name, address, and place of employment of each person who contributed to the committee, along with the amount contributed.

(b) Furthermore, each committee shall maintain for a period of four (4) years records evidencing the name and address of each candidate, campaign committee,

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ballot question committee, legislative question committee, political party, county political party committee, or political action committee who or which received a contribution from the committee, along with the amount contributed.

(c) A county political party or a political action committee shall keep records of all contributions and expenditures in a manner sufficient to evidence compliance with Arkansas Code § 7-6-201 et seq.

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#### **7 CAR § 5-112. Contribution limits.**

(a) No political action committee shall accept any contribution or cumulative contributions in excess of ten thousand dollars (\$10,000) from any person in any calendar year.

(b) No county political party committee shall accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year.

(c)(1) For purposes of making contributions to candidates, each political action committee and county political party committee may contribute up to the maximum amount to a candidate's campaign for each election, whether the candidate is opposed or unopposed.

(2)(A) Pursuant to Arkansas Code § 7-6-203, the contribution limit for each election cycle shall be adjusted at the beginning of each odd-numbered year in an amount equal to the percentage certified to the Federal Election Commission by the United States Bureau of Labor Statistics under 52 U.S.C. § 30116(c) as it existed on January 1, 2015.

(B) In accordance with Rules on Campaign Finance and Disclosure, 7 CAR pt. 3, the Arkansas Ethics Commission shall announce the contribution limit in effect for each election cycle.

#### **7 CAR § 5-113. Administrative expenses of political action committees and county political party committees.**

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It is permissible for a political action committee or a county political party committee to pay reasonable administrative expenses out of the contributions it has received.

**7 CAR § 5-114. Receipt of campaign funds or remaining campaign funds by political party caucus.**

Campaign funds or remaining campaign funds given to a political party caucus shall:

- (1) Be segregated in an account separated from other caucus funds; and
- (2) Not be used by the political party caucus to make a campaign contribution or to provide any personal income to any candidate who donated campaign funds or remaining campaign funds.

**7 CAR § 5-115. Amendment of reports — Affirmative defense of unintentional error.**

(a) It is an affirmative defense to prosecution or disciplinary action if a person required to file a report under this part amends the report within thirty (30) days of discovering or learning of an unintentional error in the report.

(b)(1) The Arkansas Ethics Commission shall not proceed with an investigation of an alleged error in a report filed under this part if the commission determines that a person would be eligible to raise the aforementioned affirmative defense.

(2) If the commission does not proceed with an investigation of an alleged error, the person shall not be considered to have committed a violation of the applicable statute.

(c) This section shall not be construed to remove the duty to file a report under this part or authorize a person to knowingly fail to file a report under this part.

# Proposed Rulemaking

## Title

Promulgated by:  
Arkansas Ethics Commission

### Title 7. Elections

#### Chapter I. Arkansas Ethics Commission

##### Subchapter A. Generally

##### Part 5. Rules on Political Committees

##### Subpart 1. Generally

#### **7 CAR § 5-101. Definitions.**

As used in this part:

(1)(A) "Approved political action committee" means any person who:

(i) Receives contributions from one (1) or more persons in order to make contributions to:

(a) Candidates;

(b) Campaign committees;

(c) Ballot question committees;

(d) Legislative question committees;

(e) Political parties;

(f) County political party committees; or

(g) Other political action committees;

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

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

(B) An approved political action committee shall not include:

(i) An organized political party as defined in Arkansas Code § 7-1-101;

(ii) A county political party committee;

(iii) The candidate's own campaign committee;

(iv) An exploratory committee;

(v) A ballot question committee; or

(vi) A legislative question committee;

(2)(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, or pledges or promises 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 or in support of or opposition to a ballot or legislative question.

(B) "Contribution" shall include membership dues paid to a committee but not filing fees paid to a committee by candidates.

(C)(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 and 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 or persons whose expenditures the candidates or committee must report under Arkansas Code § 7-6-201 et seq.

(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.

(D) "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;

(3) "County political party committee" means a person that:

(A) Is organized at the county level for the purpose of supporting its affiliate party and making contributions;

(B) Is recognized by an organized political party, as defined in Arkansas Code § 7-1-101, as being affiliated with that political party;

(C) Receives contributions from one (1) or more persons in order to make contributions to:

(i) Candidates;

(ii) Campaign committees;

(iii) Ballot question committees;

(iv) Legislative question committees;

(v) Political parties;

(vi) Political action committees; or

(vii) Other county political party committees;

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

(E) Registers pursuant to Arkansas Code § 7-6-226 prior to making contributions;

(4)(A) "Legislative caucus committee" means a person that:

(i) Is composed exclusively of members of the General Assembly;

(ii) Elects or appoints officers and recognizes identified legislators as members of the organization; and

(iii) Exists for research and other support of policy development and interests that the membership hold in common.

(B) A "legislative caucus committee" includes, but is not limited to, a political party caucus of the:

(i) General Assembly;

(ii) Senate; or

(iii) House of Representatives.

(C) An organization whose only nonlegislator member is the Lieutenant Governor or the Governor is a "legislative caucus committee" for purposes of this part;

(5)(A) "Person" means any:

(i) Individual;

(ii) Proprietorship;

(iii) Firm;

(iv) Partnership;

(v) Joint venture;

(vi) Syndicate;

(vii) Labor union;

(viii) Business trust;

(ix) Company;

(x) Corporation;

(xi) Association;

(xii) Committee; or

(xiii) Any other organization or group of persons acting in concert.

(B) It shall also include:

(i) 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;

(ii) County political party committees; and

(iii) Legislative caucus committees;

(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)(A) “Prohibited political action committee” means any person who receives contributions from one (1) or more persons in order to make contributions to candidates, ballot question committees, legislative question committees, political

parties, county political party committees, or other political action committees, but that does not meet the requirements of an approved political action committee.

(B) A prohibited political action committee shall not include:

(i) 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;

(ii) The candidate’s own campaign committee;

(iii) A county political party committee;

(iv) An exploratory committee; or

(v) A ballot or legislative question committee; and

(8)(A) “Remaining campaign funds” means any balance of campaign funds over expenses incurred as of the day of the election except for remaining campaign funds and any funds required to repay loans made by the candidate from his or her personal funds to the campaign or to repay loans made by financial institutions to the candidate and applied to the campaign.

(B) “Remaining campaign funds” does not include campaign signs, campaign literature, and other printed campaign materials that were:

(i) Purchased by the campaign;

(ii) Reported on the appropriate contribution and expenditure report for the campaign at the time of the purchase; and

(iii) Retained for use in a future campaign by the same candidate.

**7 CAR § 5-102. Registration by political action committees.**

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

(B) Registration for a political action committee shall be active unless the committee has requested a termination of its registration.

(C) Except as provided in subdivision (a)(1)(D) of this section, 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.

(D)(i)(a) Registration with the Secretary of State under this part may be filed in electronic form through the official website of the Secretary of State if electronic filing is offered by the Secretary of State.

(b) An electronic registration shall be verified by an officer of the committee.

(ii) The Arkansas Ethics Commission shall approve a format used by the Secretary of State for registering as a committee to ensure that all required information is requested.

(iii) A format used by the Secretary of State for registering as a committee in electronic form shall provide that a registration filed in electronic form be rejected by that office if it omits the name, street address, or telephone number of an individual designated as the resident agent for the committee.

(iv) The official website of the Secretary of State shall allow for searches of committee registration information filed in electronic form.

(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)(A) No approved political action committee shall accept a contribution from a prohibited political action committee as defined in 7 CAR § 5-101(7) of this part.

(B) It shall be unlawful for a prohibited political action committee as defined in 7 CAR § 5-101(7) of this part to make a contribution to:

- (i) A ballot question committee;
- (ii) A legislative question committee;
- (iii) A political party;
- (iv) A county political party committee;

- (v) An approved political action committee; or
- (vi) A prohibited political action committee.

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

(B) This section shall not apply to:

- (i) The national committee of any political party that is registered with the Federal Election Commission;
- (ii) Any federal candidate committee that is registered with the Federal Election Commission;
- (iii) Funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101; or
- (iv) Funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101.

(b) The registration form of an approved political action 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 professional, business, trade, labor, or other interests represented by the committee, including any individual business, organization, association,

corporation, labor organization, or other group or firm whose interests will be represented by the committee;

(3) 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;

(4) The name, street address, and telephone number of the individual designated as the resident agent for the committee and, if the registration form is filed in paper form, a written acceptance of designation as a resident agent;

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

(6) 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.

(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.

(d) Registration with the Secretary of State under this section may be filed in paper form if:

(1) The political action committee does not have access to the technology necessary to submit registration in electronic form;

(2) Submitting registration in electronic form would constitute a substantial hardship for the political action committee; and

(3) The political action committee submits a notarized affidavit that complies with Arkansas Code § 7-6-231.

### **7 CAR § 5-103. Reporting by political action committees.**

(a) Within fifteen (15) calendar days after the end of each calendar quarter, approved political action committees are required to file a quarterly report with the Secretary of State, including the following information:

(1) The total amount of contributions received and the total amount of contributions made during the filing (i.e., reporting) period and the cumulative amount of those totals;

(2) The current balance of committee funds;

(3) The name and address of each person that made a contribution or contributions to the committee that exceeded two hundred dollars (\$200) in the aggregate during the calendar year, the contributor's place of business, employer, occupation, the date of the contribution, the amount contributed, and the total contributed for the year;

(4) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee, if any, to whom or which the committee made a contribution or contributions that exceeded two hundred dollars (\$200) in the aggregate during the filing period, with the amount contributed and the election for which the contribution was made;

(5) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee, if any, to whom or which the committee contributed a nonmoney item, together with:

(A) A description of the item;

(B) The date the item was contributed; and

(C) The value of the item; and

(6) The total amount of expenditures made for administrative expenses and for each single expenditure that exceeds one hundred dollars (\$100), an itemization including the:

(A) Amount of the expenditure;

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

(C) Date the expenditure was made.

(b) The reports may be filed in electronic form through the official website of the Secretary of State if electronic filing is offered by the Secretary of State.

(c) The information required in subdivisions (a)(1) – (6) of this section may be provided in the form of schedules attached to a report filed in paper form.

(d) The reports 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 so 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 if the Secretary of State offers electronic filing of committee reports.

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

(B) The commission shall approve the format used by the Secretary of State for the filing of political action committee 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 committee report information filed in electronic form.

(f)(1) A person required to file reports or register in electronic form under Arkansas Code § 7-6-215 may file reports or register in paper form under this section if:

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

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

(2) A person filing reports or registration in paper form under subdivision (f)(1) 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:

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

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

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

(g) The Secretary of State shall:

(1) Not accept a report or registration in paper form under subdivision (f)(1) of this section if a notarized affidavit was not submitted with the:

(A) Registration of a political action committee; or

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

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

(3) 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

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

(h) The Secretary of State shall make available to persons wishing to file reports in paper form under this section:

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

(2)(A) Appropriate forms and instructions for complying with the deadlines.

(B) The commission shall approve the forms and instructions used by the Secretary of State under this section to ensure that all required information is requested.

(i) 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.

(j)(1)(A) A report submitted in paper form under this section 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 this section 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.

(2) 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.

(k)(1) The Secretary of State shall make available reports submitted in paper form on a portion of the official website of the Secretary of State.

(2) 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.

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

#### **7 CAR § 5-104. Penalties for political action committees.**

(a) If the Arkansas Ethics Commission finds that a person or political action committee has committed a violation of Arkansas Code § 7-6-215, then it shall do one (1) or more of the following, unless good cause be shown for the violation:

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

(2) Issue a public letter of:

(A) Caution;

(B) Warning; or

(C) Reprimand;

(3) Order the respondent to file or amend a statutorily required disclosure form; or

(4) Report its finding, along with such information and documents as it deems appropriate, and make recommendations to the proper law enforcement authorities.

(b) In addition, the commission may impose a late filing fee not exceeding ten dollars (\$10.00) for each day a required amendment of the information contained in a registration form remains unfiled by a political action committee.

#### **7 CAR § 5-105. Legislative caucus committees.**

A legislative caucus committee is required to comply with the registration and reporting provisions of 7 CAR §§ 5-102 and 103 of this part, including the designation of a resident agent who is an individual who resides in the State of Arkansas and the establishment of an account in a financial institution, if the committee contributes more than five hundred dollars (\$500) in a calendar year to:

(1) Candidates;

(2) Campaign committees;

(3) Ballot question committees;

(4) Legislative question committees;

(5) Political parties;

(6) County political party committees; or

(7) Political action committees.

#### **7 CAR § 5-106. Out-of-state political action committees.**

**DRAFT**

(a) An out-of-state political action committee, including a federal committee, is required to comply with the registration and reporting provisions of 7 CAR §§ 5-102 and 103 and is subject 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., if the committee contributes more than five hundred dollars (\$500) in a calendar year to candidates, campaign committees, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees within the State of Arkansas.

(b) This section shall not apply to:

(1) The national committee of any political party that is registered with the Federal Election Commission;

(2) Any federal candidate committee that is registered with the Federal Election Commission;

(3) Funds which a subordinate committee of the national committee of any political party that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101; or

(4) Funds which a political action committee that is registered with the Federal Election Commission transfers to the federal account of an organized political party as defined in Arkansas Code § 7-1-101.

**7 CAR § 5-107. 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 § 5-101(6) of this part, 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.

(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 § 5-108. Registration by county political party committees.**

(a)(1)(A) To qualify as a county political party committee, a committee is required to register with the Secretary of State within fifteen (15) days after accepting contributions during a calendar year which, in the aggregate, exceed five thousand dollars (\$5,000).

(B) The registration is to 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 of the form shall be verified by an affidavit of an officer of the committee.

(2)(A) The committee is required to appoint a treasurer who is a qualified elector of 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 which does not have a treasurer.

(3)(A) No county political party committee shall accept a contribution from a prohibited political action committee as defined in 7 CAR § 5-101(7).

(B) It shall be unlawful for a prohibited political action committee as defined in 7 CAR § 5-101(7) to make a contribution to a county political party committee.

(b) The committee is required to disclose on the registration form the following information:

(1)(A) The name, address, and, when 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 the acronym and the words forming the acronym shall be disclosed;

(2) The political party with which the county political party committee is affiliated;

(3) The full name and street address, city, state, and zip code of the financial institution in the State of Arkansas that the committee designates as its official depository for the purposes of depositing all money contributions that it receives in this state and making all expenditures in this state; and

(4) A written acceptance of appointment by the treasurer.

**7 CAR § 5-109. Reporting by county political party committees.**

(a) Within fifteen (15) calendar days after the end of each calendar quarter, county political party committees are required to file a quarterly report with the Secretary of State, including the following information:

(1) The total amount of contributions received and the total amount of contributions made during the filing period and the cumulative amount of these totals;

(2) The current balance of committee funds;

(3) The name and address of each person that made a contribution or contributions to the committee that exceeded two hundred dollars (\$200) in the aggregate, the contributor's place of business, employer, or occupation, the date of the contribution, the amount contributed, and the total contributed for the year;

(4) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee, if any, to whom or which the committee made a contribution or contributions that exceeded two hundred dollars (\$200) in the aggregate during the filing period, with the amount contributed and the election for which the contribution was made;

(5) The name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee, if any, to whom or which the committee contributed a nonmoney item, together with:

(A) A description of the item;

(B) The date the item was contributed; and

(C) The value of the item;

(6) The total amount of expenditures made for administrative expenses and for each single expenditure that exceeds one hundred dollars (\$100) an itemization including the:

(A) Amount of the expenditure;

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

(C) Date the expenditure was made; and

(7) Any change in information required by this part.

(b) The reports 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.

(c)(1) A report is timely filed if it is either hand delivered or mailed to the Secretary of State, properly addressed, postage prepaid, bearing a postmark indicating that it was received by the post office or common carrier on the date that the report is due.

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

(3) The Secretary of State may receive reports in a readable electronic format acceptable to the Secretary of State and approved by the Arkansas Ethics Commission.

### **7 CAR § 5-110. Penalties for county political party committees.**

If the Arkansas Ethics Commission finds that a person or county political party committee has committed a violation of Arkansas Code § 7-6-226, then it shall do one (1) or more of the following, unless good cause be shown for the violation:

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

(2) Issue a public letter of:

(A) Caution;

(B) Warning; or

(C) Reprimand;

(3) Order the respondent to file or amend a statutorily required disclosure form; or

(4) Report its finding, along with such information and documents as it deems appropriate and make recommendations to the proper law enforcement authorities.

**7 CAR § 5-111. Records retention by political action committees and county political party committees.**

(a) Each committee is required to maintain for a period of four (4) years records evidencing the name, address, and place of employment of each person who contributed to the committee, along with the amount contributed.

(b) Furthermore, each committee shall maintain for a period of four (4) years records evidencing the name and address of each candidate, campaign committee, ballot question committee, legislative question committee, political party, county political party committee, or political action committee who or which received a contribution from the committee, along with the amount contributed.

(c) A county political party or a political action committee shall keep records of all contributions and expenditures in a manner sufficient to evidence compliance with Arkansas Code § 7-6-201 et seq.

**7 CAR § 5-112. Contribution limits.**

(a) No political action committee shall accept any contribution or cumulative contributions in excess of ten thousand dollars (\$10,000) from any person in any calendar year.

(b) No county political party committee shall accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year.

(c)(1) For purposes of making contributions to candidates, each political action committee and county political party committee may contribute up to the maximum amount to a candidate's campaign for each election, whether the candidate is opposed or unopposed.

(2)(A) Pursuant to Arkansas Code § 7-6-203, the contribution limit for each election cycle shall be adjusted at the beginning of each odd-numbered year in an amount equal to the percentage certified to the Federal Election Commission by the United States Bureau of Labor Statistics under 52 U.S.C. § 30116(c) as it existed on January 1, 2015.

(B) In accordance with Rules on Campaign Finance and Disclosure, 7 CAR pt. 3, the Arkansas Ethics Commission shall announce the contribution limit in effect for each election cycle.

**7 CAR § 5-113. Administrative expenses of political action committees and county political party committees.**

It is permissible for a political action committee or a county political party committee to pay reasonable administrative expenses out of the contributions it has received.

**7 CAR § 5-114. Receipt of campaign funds or remaining campaign funds by political party caucus.**

Campaign funds or remaining campaign funds given to a political party caucus shall:

- (1) Be segregated in an account separated from other caucus funds; and
- (2) Not be used by the political party caucus to make a campaign contribution or to provide any personal income to any candidate who donated campaign funds or remaining campaign funds.

**7 CAR § 5-115. Amendment of reports — Affirmative defense of unintentional error.**

(a) It is an affirmative defense to prosecution or disciplinary action if a person required to file a report under this part amends the report within thirty (30) days of discovering or learning of an unintentional error in the report.

(b)(1) The Arkansas Ethics Commission shall not proceed with an investigation of an alleged error in a report filed under this part if the commission determines that a person would be eligible to raise the aforementioned affirmative defense.

(2) If the commission does not proceed with an investigation of an alleged error, the person shall not be considered to have committed a violation of the applicable statute.

(c) This section shall not be construed to remove the duty to file a report under this part or authorize a person to knowingly fail to file a report under this part.

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.

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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.

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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**