

# **RULES ON POLITICAL COMMITTEES**

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**§ 500. Definitions.**

**(a) Approved political action committee** – As used in these rules, the term “approved political action committee” means any person who:

- (i) 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;
- (ii) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and
- (iii) Registers pursuant to Ark. Code Ann. § 7-6-215 prior to making contributions.

**(b) Contribution** – As used in these rules, the term “contribution” means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, pledge or promise of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office, made for the purpose of influencing the nomination or election of any candidate or in support of or opposition to a ballot or legislative question. “Contribution” shall include any filing fees or membership dues paid to a county political party committee.

"Contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; 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 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 this subchapter. The term "contribution" further includes any transfer of anything of value received by a committee from another committee.

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

**(c) County political party committee** – As used in these rules, the term “county political party committee” means a person that:

- (i) Is organized at the county level for the purpose of supporting its affiliate party and making contributions;
- (ii) Is recognized by an organized political party, as defined in Ark. Code Ann. § 7-1-101, as being affiliated with that political party;
- (iii) Receives contributions from one (1) or more persons in order to make contributions to candidates, ballot question committees, legislative question committees, political parties, political action committees, or other county political party committees;

- (iv) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and
- (v) Registers pursuant to Ark. Code Ann. § 7-6-226 prior to making contributions.

**(d) Legislative caucus committee** – As used in these rules, the term “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 interest that the membership hold in common.

A “legislative caucus committee” includes, but is not limited to, a political party caucus of the General Assembly, the Senate, or the House of Representatives.

**(e) Person** – As used in these rules, the term “person” means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert. It shall also include organized political parties as defined in Ark. Code Ann. § 7-1-101, county political party committees, and legislative caucus committees.

**(f) Prohibited political action committee** – As used in these rules, the term “prohibited political action committee” means any person who receives contributions from one (1) or more persons in order to make contributions to candidates but who does not meet the requirements of an approved political action committee. A prohibited political action committee shall not include an organized political party as defined in Ark. Code Ann. § 7-1-101, the candidate's own campaign committee, a county political party committee, an exploratory committee, or a ballot or legislative question committee.

**§ 501 Registration and Reporting for County Political Party Committees**

**(a)(1)** 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).

**(2)** The registration is to be annually renewed by January 15, unless the committee has ceased to exist.

**(b)** A treasurer who is a qualified elector of the State of Arkansas is required to be appointed by the committee. No contribution is to be accepted from a committee and no expenditure is to be made by a committee which has met the registration threshold but has not registered and appointed a treasurer.

**(c)** The committee is also required to designate an official depository within the State of Arkansas for the purposes of depositing all money contributions that it receives and making all

expenditures. The full name and street address of the financial institution so designated is required to be disclosed on the registration form.

(d) Within fifteen (15) calendar days after the end of each calendar quarter, each county political party committee is required to file a quarterly report with the Secretary of State, including current balance, contribution totals, itemization of contributions received and contributions made, expenditures, and any change in the committee information required on its registration form.

(e) If a county political party committee does not meet the five thousand dollar (\$5,000) threshold, then no registration or reporting is required, and the treasurer and depository requirements are not applicable.

## **§ 502 Registration and Reporting for Political Action Committees**

(a)(1) To qualify as an approved PAC, the 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 hundred dollars (\$500).

(2) The registration is to be annually renewed by January 15, unless the committee has ceased to exist.

(b) The committee is required to appoint a treasurer who is a qualified elector of the State of Arkansas. No contribution may be accepted from a committee and no expenditure may be made by a committee which has met the registration threshold but has not registered and appointed a treasurer.

(c) The committee is also required to designate an official depository within the State of Arkansas for the purposes of depositing all money contributions that it receives and making all expenditures. The full name and street address of the financial institution so designated is required to be disclosed on the registration form.

(d) Within fifteen (15) calendar days after the end of each calendar quarter, PACs are required to file a quarterly report with the Secretary of State, including current balance, contribution totals, itemization of contributions received and contributions made, expenditures, and any change in the committee information required on its registration form.

(e) If a PAC does not meet the five hundred dollar (\$500) contribution threshold, then no registration or reporting is required, and the treasurer and depository requirements are not applicable.

## **§ 503 Legislative Caucus Committees**

A legislative caucus committee is required to comply with the registration and reporting provisions of § 502, including the appointment of a treasurer who is a qualified elector of this state and the establishment of an account in a depository within this state, if the committee

contributes more than five hundred dollars (\$500) in a calendar year to candidates, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees.

#### **§ 504 Out-of-State Political Action Committees**

An out-of-state political action committee is required to comply with the registration and reporting provisions of § 502, including the appointment of a treasurer who is a qualified elector of this state and the establishment of an account in a depository within this state, if the committee contributes more than five hundred dollars (\$500) in a calendar year to candidates, ballot question committees, legislative question committees, political parties, county political party committees, or other political action committees.

#### **§ 505 Records Retention by PACs and County Political Party Committees**

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, and the name and address of each candidate who received a contribution from the committee, along with the amount contributed.

#### **§ 506 Contribution Limits**

(a) No political action committee or 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.

(b) For purposes of making contributions to candidates, each political action committee and county political party committee may contribute up to two thousand dollars (\$2,000) to a candidate's campaign for each election, whether the candidate is opposed or unopposed.

#### **§ 507 Administrative Expenses of the PAC or County Political Party Committee**

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