

REFERENCE TITLE: clean elections; daily reporting

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2217

Introduced by
Representative McClure, Senator Bee: Representatives Alvarez, Anderson,
Barto, Crandall, Gallardo, Konopnicki, Meza, Nelson, Pearce, Rios P,
Stump, Senator Gray C

AN ACT

AMENDING SECTION 16-958, ARIZONA REVISED STATUTES; RELATING TO THE CITIZENS
CLEAN ELECTIONS ACT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Subject to the requirements of article IV, part 1, section
3 1, Constitution of Arizona, section 16-958, Arizona Revised Statutes, is
4 amended to read:

5 16-958. Manner of filing reports

6 A. Any person who has previously reached the dollar amount specified
7 in section 16-941, subsection D for filing an original report shall file a
8 supplemental report each time previously unreported independent expenditures
9 specified by that subsection exceeds one thousand dollars. Any person who
10 has previously reached the dollar amounts specified in section 16-941,
11 subsection B, paragraph 2 for filing an original report shall file a
12 supplemental report to declare that previously unreported expenditures or
13 contributions specified by that paragraph exceed ~~(1)~~ ten percent PER CENT of
14 the original primary election spending limit or twenty-five thousand dollars,
15 whichever is lower, before the general election period, or ~~(2)~~ ten percent
16 PER CENT of the original general election spending limit or twenty-five
17 thousand dollars, whichever is lower, during the general election period.
18 Such reports shall be filed at the times specified in subsection B of this
19 section and shall identify the dollar amount being reported, the candidate,
20 and the date.

21 B. Any person who must file an original report pursuant to section
22 16-941, subsection B, paragraph 2 or subsection D, or who must file a
23 supplemental report for previously unreported amounts pursuant to subsection
24 A of this section, shall file as follows:

25 1. Before the beginning of the primary election period, the person
26 shall file a report on the first of each month, unless the person has not
27 reached the dollar amount for filing an original or supplemental report on
28 that date.

29 2. Thereafter, except as stated in paragraph 3 of this subsection, the
30 person shall file a report on any Tuesday by which the person has reached the
31 dollar amount for filing an original or supplemental report.

32 3. During the last two weeks before the primary election and the last
33 two weeks before the general election, the person shall file a report within
34 one business day of reaching the dollar amount for filing an original or
35 supplemental report AND ANY PARTICIPATING CANDIDATE WHO OPPOSES THAT PERSON
36 SHALL ALSO FILE DAILY REPORTS BEGINNING ONE BUSINESS DAY AFTER THAT PERSON
37 FILES A REPORT PURSUANT TO THIS PARAGRAPH.

38 C. Any filing under this article on behalf of a candidate may be made
39 by the candidate's campaign committee. All candidates shall deposit any
40 check received by and intended for the campaign and made payable to the
41 candidate or the candidate's campaign committee, and all cash received by and
42 intended for the campaign, in the candidate's campaign account before the due
43 date of the next report specified in subsection B of this section. No
44 candidate or person acting on behalf of a candidate shall conspire with a

1 donor to postpone delivery of a donation to the campaign for the purpose of
2 postponing the reporting of the donation in any subsequent report.

3 D. The secretary of state shall immediately notify the commission of
4 the filing of each report under this section and deliver a copy of the report
5 to the commission, and the commission shall promptly mail or otherwise
6 deliver a copy of each report filed pursuant to this section to all
7 participating candidates opposing the candidate identified in section 16-941,
8 subsection B, paragraph 2 or subsection D.

9 E. Any report filed pursuant to this section or section 16-916,
10 subsection A, paragraph 1 or subsection B shall be filed in electronic
11 format. The secretary of state shall distribute computer software to
12 political committees to accommodate such electronic filing.

13 F. During the primary election period and the general election period,
14 all candidates shall make available for public inspection all bank accounts,
15 campaign finance reports, ~~and~~ and financial records relating to the candidate's
16 campaign, either by immediate disclosure through electronic means or at the
17 candidate's campaign headquarters, in accordance with rules adopted by the
18 commission.

19 Sec. 2. Requirements for enactment; three-fourths vote

20 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
21 section 16-958, Arizona Revised Statutes, as amended by this act is effective
22 only on the affirmative vote of at least three-fourths of the members of each
23 house of the legislature.