

House Engrossed Senate Bill

campaign finance; contributions; disclosures; itemization

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 154

SENATE BILL 1104

AN ACT

AMENDING SECTION 16-926, ARIZONA REVISED STATUTES; RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-926, Arizona Revised Statutes, is amended to
3 read:

4 16-926. Campaign finance reports; contents

5 A. A committee shall file campaign finance reports with the filing
6 officer. The secretary of state's instructions and procedures manual
7 adopted pursuant to section 16-452 shall prescribe the format for all
8 reports and statements.

9 B. A campaign finance report shall set forth:

10 1. The amount of cash on hand at the beginning of the reporting
11 period.

12 2. Total receipts during the reporting period, including:

13 (a) An itemized list of receipts in the following categories,
14 including the source, amount and date of receipt, together with the total
15 of all receipts in each category:

16 (i) Contributions from IN-STATE individuals whose contributions
17 exceed ~~fifty dollars~~ \$100 for that election cycle, including
18 identification of the contributor's occupation and employer.

19 (ii) CONTRIBUTIONS FROM OUT-OF-STATE INDIVIDUALS, INCLUDING
20 IDENTIFICATION OF THE CONTRIBUTOR'S OCCUPATION AND EMPLOYER.

21 ~~(iii)~~ (iii) Contributions from candidate committees.

22 ~~(iiii)~~ (iv) Contributions from political action committees.

23 ~~(iv)~~ (v) Contributions from political parties.

24 ~~(v)~~ (vi) Contributions from partnerships.

25 ~~(vi)~~ (vii) For a political action committee or political party,
26 contributions from corporations and limited liability companies, including
27 identification of the corporation's or limited liability company's file
28 number issued by the corporation commission.

29 ~~(vii)~~ (viii) For a political action committee or political party,
30 contributions from labor organizations, including identification of the
31 labor organization's file number issued by the corporation commission.

32 ~~(viii)~~ (ix) For a candidate committee, a candidate's contribution
33 of personal monies.

34 ~~(ix)~~ (x) All loans, including identification of any endorser or
35 guarantor other than a candidate's spouse, and the contribution amount
36 endorsed or guaranteed by each.

37 ~~(x)~~ (xi) Rebates and refunds.

38 ~~(xi)~~ (xii) Interest on committee monies.

39 ~~(xii)~~ (xiii) The fair market value of in-kind contributions
40 received.

41 ~~(xiii)~~ (xiv) Extensions of credit that remain outstanding,
42 including identification of the creditor and the purpose of the extension.

43 (b) The aggregate amount of contributions from all IN-STATE
44 individuals whose contributions do not exceed ~~fifty dollars~~ \$100 for the
45 election cycle.

46 3. An itemized list of all disbursements in excess of ~~two hundred~~
47 ~~fifty dollars~~ \$250 during the reporting period in the following

1 categories, including the recipient, the recipient's address, a
2 description of the disbursement and the amount and date of the
3 disbursement, together with the total of all disbursements in each
4 category:

- 5 (a) Disbursements for operating expenses.
- 6 (b) Contributions to candidate committees.
- 7 (c) Contributions to political action committees.
- 8 (d) Contributions to political parties.
- 9 (e) Contributions to partnerships.
- 10 (f) For a political action committee or political party,
11 contributions to corporations and limited liability companies, including
12 identification of the corporation's or limited liability company's file
13 number issued by the corporation commission.
- 14 (g) For a political action committee or political party,
15 contributions to labor organizations, including identification of the
16 labor organization's file number issued by the corporation commission.
- 17 (h) Repayment of loans.
- 18 (i) Refunds of contributions.
- 19 (j) Loans made.
- 20 (k) The value of in-kind contributions provided.
- 21 (l) Independent expenditures that are made to advocate the election
22 or defeat of a candidate, including identification of the candidate,
23 office sought by the candidate, election date, mode of advertising and
24 distribution or publication date.
- 25 (m) Expenditures to advocate the passage or defeat of a ballot
26 measure, including identification of the ballot measure, ballot measure
27 serial number, election date, mode of advertising and distribution or
28 publication date.
- 29 (n) Expenditures to advocate for or against the issuance of a
30 recall election order or for the election or defeat of a candidate in a
31 recall election, including identification of the officer to be recalled or
32 candidate supported or opposed, mode of advertising and distribution or
33 publication date.
- 34 (o) Any other disbursements or expenditures.

35 4. The total sum of all receipts and disbursements for the
36 reporting period.

37 5. A certification by the committee treasurer, issued under penalty
38 of perjury, that the contents of the report are true and correct.

39 C. For the purposes of reporting under subsection B of this
40 section:

41 1. A contribution is deemed to be received either on the date the
42 committee knowingly takes possession of the contribution or the date of
43 the check or credit card payment. For an in-kind contribution of
44 services, the contribution is deemed made either on the date the services
45 are performed or the date the committee receives the services.

46 2. An expenditure or disbursement is deemed made either on the date
47 the committee authorizes the monies to be spent or the date the monies are

1 withdrawn from the committee's account. For a transaction by check, the
2 expenditure or disbursement is deemed made on the date the committee signs
3 the check. For a credit card transaction on paper, the expenditure or
4 disbursement is deemed made on the date the committee signs the
5 authorization to charge the credit card. For an electronic transaction,
6 an expenditure or disbursement is deemed made on the date the committee
7 electronically authorizes the charge. For an agreement to purchase goods
8 or services, the expenditure or disbursement is deemed made either on the
9 date the parties enter into the agreement or the date the purchase order
10 is issued.

11 3. A committee may record its transactions using any of the methods
12 authorized by this subsection but for each type of contribution,
13 expenditure or disbursement made or received, the committee shall use a
14 consistent method of recording transactions throughout the election cycle.

15 D. The amount of an in-kind contribution of services shall be equal
16 to the usual and normal charges for the services on the date performed.

17 E. If any receipt or disbursement is earmarked, the committee shall
18 report the identity of the person to whom the receipt or disbursement is
19 earmarked.

20 F. Candidate committee reports shall be cumulative for the election
21 cycle to which they relate. Political action committee and political
22 party reports shall be cumulative for a two-year election cycle ending in
23 the year of a statewide general election. If there has been no change
24 during the reporting period in an item listed in the immediately preceding
25 report, only the amount need be carried forward.

26 G. For a political action committee that receives individual
27 contributions through a payroll deduction plan, that committee is not
28 required to separately itemize each contribution received from the
29 contributor during the reporting period. In lieu of itemization, the
30 committee may report all of the following:

31 1. The aggregate amount of contributions received from the
32 contributor through the payroll deduction plan during the reporting
33 period.

34 2. The individual's identity.

35 3. The amount deducted per pay period.

36 H. An entity that makes independent expenditures or ballot measure
37 expenditures in excess of ~~one thousand dollars~~ \$1,000 during a reporting
38 period shall file an expenditure report with the filing officer for the
39 applicable reporting period. Expenditure reports shall identify the
40 candidate or ballot measure supported or opposed, office sought by the
41 candidate, if any, election date, mode of advertising and first date of
42 publication, display, delivery or broadcast of the advertisement.

APPROVED BY THE GOVERNOR MARCH 30, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 30, 2021.