

**KSA 25-4157a, Uses of Campaign Contributions**

<b>Statutory language as of January 1, 2023, and 2023 changes</b>	<b>Proposals to amend, 2013-2023</b>
Enacted	Proposed
(a) No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for:	
(1) Legitimate campaign purposes;	
(2) expenses of holding political office;	
(3) contributions to the party committees of the political party of which such candidate is a	
(4) any membership dues related to the candidate's campaign paid to a community service or civic organization in the name of the	
(5) any donations paid to any organization which is recognized as a 501(c)(3) tax exempt organization or any religious organization, community service or civic organization in the name of the candidate or candidate committee of any candidate but only if the candidate receives no goods or services unrelated to the candidate's campaign as a result of the payment of such donations;	<p><b>2015-2016 HB 2183</b> added and <b>2015-2016 SB 27</b> as amended by the Senate Committee of the Whole would have added "any organization which is recognized as a 501(c)(3) tax exempt organization or any religious organization,"</p> <p>[Note: In his veto message for 2013-2014 HB 2296, Governor Brownback said he supported this language and invited the Legislature to include it in a different bill. He objected to candidate and lobbyist disclosure changes proposed in the bill.]</p>
(6) expenses incurred in the purchase of tickets to meals and special events sponsored by any organization the major purpose of which is to promote or facilitate the social, business, commercial or economic well being of the local community; or	<p><b>2015-2016 SB 26</b> as amended by the Senate Committee on Ethics and Elections would have amended this to "expenses incurred by the candidate or the candidate's spouse for travel, lodging and the purchase of tickets . . ."</p>
(7) expenses incurred in the purchase and mailing of greeting cards to voters and	
<p><b>2023 House Sub. for SB 208</b> added:</p> <p>"expenses, compensation or gifts provided to any volunteer, staff member or contractor of the candidate's campaign or provided to any volunteer or staff of the candidate's political office if the total amount of such expenses, compensation or gifts provided to such persons from all sources does not exceed the total fair market value of services provided to the candidate's campaign or political office;"</p>	

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<p><b>2023 House Sub. for SB 208</b> added "payment of any civil penalty or fine imposed by the commission pursuant to this act related to the candidate's campaign and that is incurred by the candidate, candidate committee, treasurer or other agent of the candidate; or"</p>	
<p><b>2023 House Sub. for SB 208</b> added "payment of legal fees related to any investigation or action under this act."</p>	
	<p><b>2023 HB 2297</b> (in House Elections) and <b>SB 63</b> (rereferred to SCOW) would add to (a) "expenses incurred for family caregiving services when such expenses are incurred as a result of the candidate's candidacy for office or holding office and are directly related to or have an effect on the candidate's campaign activities or duties as an office holder"</p> <p><b>2021-2022 SB 485</b> as amended by Senate Transparency and Ethics would have added the same language as 2023 HB 2297 and SB 63.</p>
	<p><b>2023 HB 2297</b> (in House Elections) would add and <b>2021-2022 SB 485</b> as amended by Senate Transparency and Ethics would have added to (a) a definition of "family caregiving services": the provision of care for an individual who is an immediate family member of the candidate and who is:</p> <ul style="list-style-type: none"> <li>- Under 13 years of age;</li> <li>- disabled; or</li> <li>- qualifies for senior care services</li> </ul> <p><b>2023 SB 63</b> (rereferred to SCOW) would add the same definition except "qualifies for services under the Kansas Senior Care Act" rather than "qualifies for senior care services"</p>
	<p><b>2023 HB 2297</b> would add and <b>2021-2022 SB 485</b> would have added to (a) a definition of "immediate family member" for this purpose: spouse, parent, stepparent, grandparent, sibling, child, stepchild, grandchild, former spouse or any individual living in the same residence as the candidate</p> <p><b>2023 SB 63</b> would add the same definition except replace "or any individual living" with "who resides"</p>

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Enacted	Proposed
<p>For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of</p>	
<p>(b) No moneys received by any candidate or candidate committee of any candidate as a contribution shall be used to pay interest or any other finance charges upon moneys loaned to the campaign by such candidate or the spouse of such candidate.</p>	
<p>(c) No candidate or candidate committee shall accept from any other candidate or candidate committee for any candidate for local, state or national office, any moneys received by such candidate or candidate committee as a campaign contribution. The provisions of this subsection shall not be construed to prohibit a candidate or candidate committee from accepting moneys from another candidate or candidate committee if such moneys constitute a reimbursement for one candidate's proportional share of the cost of any campaign activity participated in by both candidates involved. Such reimbursement shall not exceed an amount equal to the proportional share of the cost directly benefiting and attributable to the personal campaign of the candidate making such reimbursement.</p>	<p><b>2013-2014 House Sub. for SB 45, 2013-2014 HB 2112, and 2013-2014 HB 2726</b> would have added a (c)(1) designation after "prohibit" in the second sentence and added (c)(2): a candidate or candidate committee from transferring campaign funds to a <i>bona fide</i> successor committee or candidacy established by the candidate for state office after all debts, liabilities and expenses are satisfied.</p> <p><b>2015-2016 HB 2215</b> would have added the same except for "public office" rather than "state office" and would have defined, in KSA 25-4143, "public office" for this purpose as a member of a governing body of a city of the first class or an elected office of a county, a school district with more than 35,000 students, or the board of public utilities</p>

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<b>Statutory language as of January 1, 2023, and 2023 changes</b>	<b>Proposals to amend, 2013-2023</b>
<p align="center"><b>Enacted</b></p> <p>(d) At the time of the termination of any campaign and prior to the filing of a termination report in accordance with K.S.A. 25-4157, and amendments thereto, all residual funds otherwise not obligated for the payment of expenses incurred in such campaign or the holding of office shall be contributed to a charitable organization, as defined by the laws of the state, contributed to a party committee or returned as a refund in whole or in part to any contributor or contributors from whom received or paid into the general fund of the state.</p>	<p align="center"><b>Proposed</b></p> <p><b>2021-2022 SB 183</b> would have added a (d)(1) designation and added (d)(2): "and (2) any equipment or other personal property purchased for campaign purposes shall be sold or purchased by the candidate for the fair market value of the equipment or other personal property, and the proceeds shall be disposed of as provided in subsection (d)(1)."</p> <p><b>2013-2014 House Sub. for SB 45, 2013-2014 HB 2112, and 2013-2014 HB 2726</b> would have added designations (d)(1) - (d)(4) and added "or (5) transferred to a <i>bona fide</i> successor committee or candidacy established by the candidate for state office"; required the transfer after all debts, liabilities, and expenses were satisfied; and defined "<i>bona fide</i> successor committee or candidacy"</p> <p><b>2015-2016 HB 2215</b> would have added the same except "public office" rather than "state office"</p>
	<p><b>2013-2014 House Sub. for SB 45, 2013-2014 HB 2112, and 2013-2014 HB 2726</b> would have added subsection (e): For the purposes of this section, "<i>bona fide</i> successor committee or candidacy" means:</p> <p>(1) The candidate's campaign committee or candidacy for a state office initiated at the termination of the original candidacy; or</p> <p>(2) the candidate's campaign committee or candidacy initiated at the time of the transfer of money to a new campaign committee or candidacy for state office after all debts, liabilities and expenses are satisfied</p> <p><b>2015-2016 HB 2215</b> would have added the same except for "public office" rather than "state office"</p>
<b>Bills reviewed that were not enacted</b>	<b>Bill status at end of 2023 session or specified biennium</b>
2023 HB 2297	in House Committee on Elections
2023 SB 63	referred to Senate Committee of the Whole
2021-2022 SB 183	died in Senate Committee on Transparency and Ethics
2021-2022 SB 485	died on Senate General Orders
2015-2016 SB 26	stricken from the Senate Calendar
2015-2016 SB 27 as amended by the SCOW	did not pass the Senate
2015-2016 HB 2215	died on House Calendar
2013-2014 House Sub. for SB 45	died on House Calendar
2013-2014 HB 2112	died in Senate Committee on Ethics and Elections
2013-2014 HB 2296	veto sustained
2013-2014 HB 2726	died in House Committee on Elections
<b>No bills to amend KSA 25-4157a were found for 2019-2020 or 2017-2018.</b>	