

SESSION OF 2013

SUPPLEMENTAL NOTE ON SENATE BILL NO. 100

As Amended by House Committee on Elections

Brief*

SB 100, as amended, would make a number of changes related to reporting requirements for candidates, party or political committees, and lobbyists. The bill also would make changes to laws governing what a state officer, state employee, candidate for state office, or state officer elect could accept, as well as what a person with a special interest could offer.

Reporting Requirements

Regarding candidates, the bill would increase the amount that triggers whether the candidate may file an affidavit instead of a detailed reporting of campaign contributions or expenditures. Under the bill, if a candidate intends to spend less than \$1,000 (instead of the current amount of \$500) and receive less than \$1,000 (instead of the current amount of \$500) for either the primary or general election, the candidate would be required to file an affidavit of such intent with the Secretary of State or the county election officer, as applicable. By revising both KSA 25-904 and KSA 25-4173, this change would affect every candidate for election to any state office or the following local offices: cities of the first, second, or third class, unified school districts, counties, community colleges, townships, and the board of public utilities.

A similar change is made with regard to party or political committees. Under the bill, for any calendar year in which

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

such committee intends to spend less than \$1,000 (instead of the current amount of \$500) and receive contributions less than \$1,000 (instead of the current amount of \$500), the committee treasurer would be required to file an affidavit of such intent with the Secretary of State.

With respect to lobbyists, the bill would delete the requirement that a lobbyist file a year-end summary report when the lobbyist has spent an aggregate amount of less than \$100 for lobbying in any reporting period during that year. The bill would increase, from \$2 to \$5, the limit on individual expenditures that lobbyists are not required to report.

Gifts

Under the bill, transportation by ground conveyance within the State of Kansas would no longer be considered a gift. The bill also would increase, from \$25 to \$50, the price of a free or discounted meal that could be accepted by a member of the executive branch from a source outside of state government.

Background

The original bill was introduced by the Senate Committee on Ethics, Elections, and Local Government upon request by the Kansas Governmental Ethics Commission (KGEC). At the Senate Committee hearing the KGEC Executive Director testified favorably, indicating the KGEC believes the year-end summary report is redundant and unnecessary. No other testimony was received.

The Senate Committee amended the bill to add the contents of SB 98, which dealt with candidate reporting requirements for specified local offices, and expand the amendment to include an identical change to the statute dealing with the same requirements in the Campaign Finance

Act (which covers state offices and offices in cities of the first class, unified school districts with a student population of 35,000 or greater, and the board of public utilities).

The House Committee on Elections amended the bill to add the contents of HB 2314 (which dealt with hospitality and gifting by lobbyists) as amended by the Committee, except the current statutory limit of \$100 for hospitality in the form of recreation was retained. The Committee also included party or political committees as entities for which the limit triggering detailed reporting of expenditures and contributions was raised from \$500 to \$1,000.

The Division of the Budget fiscal note on SB 100, as introduced, indicates passage of the original bill would have no fiscal effect on the KGEC except for a very small savings amount. The fiscal note on SB 98, as introduced, indicates passage of the bill would have no fiscal effect. The fiscal note on HB 2314 indicated the bill would have no direct effect on the state budget.