

HOUSE BILL No. 2170

By Committee on Elections

2-6

1 AN ACT concerning campaign finance; requiring electronic filing of
2 reports for state offices; amending K.S.A. 2018 Supp. 25-4148 and
3 repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2018 Supp. 25-4148 is hereby amended to read as
7 follows: 25-4148. (a) Every treasurer shall file a report prescribed by this
8 section. Reports filed by treasurers for candidates for state office, other
9 than officers elected on a state-wide basis, shall be filed ~~in both~~ with the
10 office of the secretary of state. Reports filed by treasurers for candidates
11 for ~~state-wide~~ state office shall be filed electronically and only with the
12 secretary of state. Reports filed by treasurers for candidates for local office
13 shall be filed in the office of the county election officer of the county in
14 which the name of the candidate is on the ballot. Except as otherwise
15 provided by subsection (h), all such reports shall be filed in time to be
16 received in the offices required on or before each of the following days:

17 (1) The eighth day preceding the primary election, which report shall
18 be for the period beginning on January 1 of the election year for the office
19 the candidate is seeking and ending 12 days before the primary election,
20 inclusive;

21 (2) the eighth day preceding a general election, which report shall be
22 for the period beginning 11 days before the primary election and ending 12
23 days before the general election, inclusive;

24 (3) January 10 of the year after an election year, which report shall be
25 for the period beginning 11 days before the general election and ending on
26 December 31, inclusive; *or*

27 (4) for any calendar year when no election is held, a report shall be
28 filed on the next January 10 for the preceding calendar year;

29 ~~(5) A treasurer shall file only the annual report required by subsection~~
30 *paragraph* (4) for those years when the candidate is not participating in a
31 primary or general election.

32 (b) Each report required by this section shall state:

33 (1) Cash on hand on the first day of the reporting period;

34 (2) the name and address of each person who has made one or more
35 contributions in an aggregate amount or value in excess of \$50 during the
36 election period together with the amount and date of such contributions,

1 including the name and address of every lender, guarantor and endorser
2 when a contribution is in the form of an advance or loan;

3 (3) the aggregate amount of all proceeds from bona fide sales of
4 political materials such as, but not limited to, political campaign pins,
5 buttons, badges, flags, emblems, hats, banners and literature;

6 (4) the aggregate amount of contributions for which the name and
7 address of the contributor is not known;

8 (5) each contribution, rebate, refund or other receipt not otherwise
9 listed;

10 (6) the total of all receipts;

11 (7) the name and address of each person to whom expenditures have
12 been made in an aggregate amount or value in excess of \$50, with the
13 amount, date, and purpose of each; the names and addresses of all persons
14 to whom any loan or advance has been made; when an expenditure is
15 made by payment to an advertising agency, public relations firm or
16 political consultants for disbursement to vendors, the report of such
17 expenditure shall show in detail the name of each such vendor and the
18 amount, date and purpose of the payments to each;

19 (8) the name and address of each person from whom an in-kind
20 contribution was received or who has paid for personal services provided
21 without charge to or for any candidate, candidate committee, party
22 committee or political committee, if the contribution is in excess of \$100
23 and is not otherwise reported under subsection (b)(7), and the amount, date
24 and purpose of the contribution;

25 (9) the aggregate of all expenditures not otherwise reported under this
26 section; and

27 (10) the total of expenditures.

28 (c) In addition to the requirements of subsection (b), every treasurer
29 for any political committee and party committee shall report the following:

30 (1) (A) The name and address of each candidate for state or local
31 office for whom an expenditure in the form of an in-kind contribution has
32 been made in an aggregate amount or having a fair market value in excess
33 of \$300, with the amount, date and purpose of each. The report shall show
34 in detail the specific service or product provided; and

35 (B) the name and address of each candidate for state or local office
36 who is the subject of an expenditure which:

37 (i) Is made without the cooperation or consent of a candidate or
38 candidate committee;

39 (ii) expressly advocates the nomination, election or defeat of such
40 candidate; and

41 (iii) is an aggregate amount or having a fair market value in excess of
42 \$300.

43 (2) The report shall state the amount, date and purpose of the

1 expenditure in the form of an in-kind contribution. The report shall show
2 in detail the specific service or product provided. The reporting
3 requirements imposed by this subsection shall be in addition to all other
4 requirements required by this section.

5 (d) Treasurers of candidates and of candidate committees shall
6 itemize the purchase of tickets or admissions to testimonial events by a
7 person who purchases such tickets or admissions in an aggregate amount
8 or value in excess of \$50 per event, or who purchases such a ticket or
9 admission at a cost exceeding \$25 per ticket or admission. All other
10 purchases of tickets or admissions to testimonial events shall be reported
11 in an aggregate amount and shall not be subject to the limitations specified
12 in K.S.A. 25-4154, and amendments thereto.

13 (e) If a contribution or other receipt from a political committee is
14 required to be reported under subsection (b), the report shall include the
15 full name of the organization with which the political committee is
16 connected or affiliated or, a description of the connection to or affiliation
17 with such organization. If, the committee is not connected or affiliated
18 with any one organization, the report shall state the trade, profession or
19 primary interest of the political committee as reflected by the statement of
20 purpose of such organization.

21 (f) The commission may require any treasurer to file an amended
22 report for any period for which the original report filed by such treasurer
23 contains material errors or omissions. The notice of the errors or omissions
24 shall be part of the public record. The amended report shall be filed within
25 30 days after notice by the commission.

26 (g) The commission may require any treasurer to file a report for any
27 period for which the required report is not on file. The notice of the failure
28 to file shall be part of the public record. Such report shall be filed within
29 five days after notice by the commission.

30 (h) For the purpose of any report required to be filed pursuant to
31 subsection (a) by the treasurer of any candidate seeking nomination by
32 convention or caucus or by the treasurer of the candidate's committee or by
33 the treasurer of any party committee or political committee, the date of the
34 convention or caucus shall be considered the date of the primary election.

35 (i) If a report is sent by certified or registered mail on or before the
36 day it is due, the mailing shall constitute receipt by that office.

37 (j) Any report required by this section may be signed by the candidate
38 in lieu of the candidate's treasurer or the treasurer of the candidate's
39 committee.

40 Sec. 2. K.S.A. 2018 Supp. 25-4148 is hereby repealed.

41 Sec. 3. This act shall take effect and be in force from and after its
42 publication in the statute book.