

As Amended by House Committee

Session of 2019

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. Any candidate for state office may request an~~
13 ~~exemption from the electronic filing requirement, and the~~
14 ~~governmental ethics commission executive director may grant an~~
15 ~~exemption for cause.~~ Reports filed by treasurers for candidates for local
16 office shall be filed in the office of the county election officer of the
17 county in which the name of the candidate is on the ballot. Except as
18 otherwise provided by subsection (h), all such reports shall be filed in time
19 to be received in the offices required on or before each of the following
20 days:

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

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

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

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

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

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

- 1 (1) Cash on hand on the first day of the reporting period;
- 2 (2) the name and address of each person who has made one or more
- 3 contributions in an aggregate amount or value in excess of \$50 during the
- 4 election period together with the amount and date of such contributions,
- 5 including the name and address of every lender, guarantor and endorser
- 6 when a contribution is in the form of an advance or loan;
- 7 (3) the aggregate amount of all proceeds from bona fide sales of
- 8 political materials such as, but not limited to, political campaign pins,
- 9 buttons, badges, flags, emblems, hats, banners and literature;
- 10 (4) the aggregate amount of contributions for which the name and
- 11 address of the contributor is not known;
- 12 (5) each contribution, rebate, refund or other receipt not otherwise
- 13 listed;
- 14 (6) the total of all receipts;
- 15 (7) the name and address of each person to whom expenditures have
- 16 been made in an aggregate amount or value in excess of \$50, with the
- 17 amount, date, and purpose of each; the names and addresses of all persons
- 18 to whom any loan or advance has been made; when an expenditure is
- 19 made by payment to an advertising agency, public relations firm or
- 20 political consultants for disbursement to vendors, the report of such
- 21 expenditure shall show in detail the name of each such vendor and the
- 22 amount, date and purpose of the payments to each;
- 23 (8) the name and address of each person from whom an in-kind
- 24 contribution was received or who has paid for personal services provided
- 25 without charge to or for any candidate, candidate committee, party
- 26 committee or political committee, if the contribution is in excess of \$100
- 27 and is not otherwise reported under subsection (b)(7), and the amount, date
- 28 and purpose of the contribution;
- 29 (9) the aggregate of all expenditures not otherwise reported under this
- 30 section; and
- 31 (10) the total of expenditures.
- 32 (c) In addition to the requirements of subsection (b), every treasurer
- 33 for any political committee and party committee shall report the following:
- 34 (1) (A) The name and address of each candidate for state or local
- 35 office for whom an expenditure in the form of an in-kind contribution has
- 36 been made in an aggregate amount or having a fair market value in excess
- 37 of \$300, with the amount, date and purpose of each. The report shall show
- 38 in detail the specific service or product provided; and
- 39 (B) the name and address of each candidate for state or local office
- 40 who is the subject of an expenditure which:
- 41 (i) Is made without the cooperation or consent of a candidate or
- 42 candidate committee;
- 43 (ii) expressly advocates the nomination, election or defeat of such

1 candidate; and

2 (iii) is an aggregate amount or having a fair market value in excess of
3 \$300.

4 (2) The report shall state the amount, date and purpose of the
5 expenditure in the form of an in-kind contribution. The report shall show
6 in detail the specific service or product provided. The reporting
7 requirements imposed by this subsection shall be in addition to all other
8 requirements required by this section.

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

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

25 (f) The commission may require any treasurer to file an amended
26 report for any period for which the original report filed by such treasurer
27 contains material errors or omissions. The notice of the errors or omissions
28 shall be part of the public record. The amended report shall be filed within
29 30 days after notice by the commission.

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

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

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

41 (j) Any report required by this section may be signed by the candidate
42 in lieu of the candidate's treasurer or the treasurer of the candidate's
43 committee.

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

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