

As Amended by House Committee

Session of 2003

**HOUSE BILL No. 2048**

By Committee on Ethics and Elections

1-23

AN ACT concerning campaign finance; relating to expenditures for political campaigns ~~contributions~~; amending K.S.A. ~~25-4148~~, 25-4149 and ~~25-4153a~~ and repealing the existing ~~section~~ sections.

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

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

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

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

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

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

1 *period beginning the day after the preceding general election through the*  
2 *calendar year following such election;*

3 **(5) a treasurer shall file only the annual report required by**  
4 **subsection (4) for those years when the candidate is not partici-**  
5 **pating in a primary or general election.**

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

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

8 **(2) the name and address of each person who has made one or**  
9 **more contributions in an aggregate amount or value in excess of**  
10 **\$50 during the election period together with the amount and date**  
11 **of such contributions, including the name and address of every**  
12 **lender, guarantor and endorser when a contribution is in the form**  
13 **of an advance or loan;**

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

17 **(4) the aggregate amount of contributions for which the name**  
18 **and address of the contributor is not known;**

19 **(5) each contribution, rebate, refund or other receipt not oth-**  
20 **erwise listed;**

21 **(6) the total of all receipts;**

22 **(7) the name and address of each person to whom expenditures**  
23 **have been made in an aggregate amount or value in excess of \$50,**  
24 **with the amount, date, and purpose of each ; the names and ad-**  
25 **resses of all persons to whom any loan or advance has been made;**  
26 **when an expenditure is made by payment to an advertising agency,**  
27 **public relations firm or political consultants for disbursement to**  
28 **vendors, the report of such expenditure shall show in detail the**  
29 **name of each such vendor and the amount, date and purpose of**  
30 **the payments to each;**

31 **(8) the name and address of each person from whom an in-**  
32 **kind contribution was received or who has paid for personal serv-**  
33 **ices provided without charge to or for any candidate, candidate**  
34 **committee, party committee or political committee, if the contri-**  
35 **bution is in excess of \$50 and is not otherwise reported under**  
36 **subsection (b)(7), and the amount, date and purpose of the**  
37 **contribution;**

38 **(9) the aggregate of all expenditures not otherwise reported**  
39 **under this section; and**

40 **(10) the total of expenditures.**

41 **(c) Treasurers of candidates and of candidate committees shall**  
42 **be required to itemize, as provided in subsection (b)(2), only the**  
43 **purchase of tickets or admissions to testimonial events by a person**

1 who purchases such tickets or admissions in an aggregate amount  
2 or value in excess of \$50 per event, or who purchases such a ticket  
3 or admission at a cost exceeding \$25 per ticket or admission. All  
4 other purchases of tickets or admissions to testimonial events shall  
5 be reported in an aggregate amount and shall not be subject to  
6 the limitations specified in K.S.A. 25-4154, and amendments  
7 thereto.

8 (d) If a contribution or other receipt from a political committee  
9 is required to be reported under subsection (b), the report shall  
10 include the full name of the organization with which the political  
11 committee is connected or affiliated or, name or description suf-  
12 ficiently describing the affiliation or, if the committee is not con-  
13 nected or affiliated with any one organization, the trade, profes-  
14 sion or primary interest of the political committee as reflected by  
15 the statement of purpose of such organization.

16 (e) The commission may require any treasurer to file an  
17 amended report for any period for which the original report filed  
18 by such treasurer contains material errors or omissions, and notice  
19 of the errors or omissions shall be part of the public record. The  
20 amended report shall be filed within 30 days after notice by the  
21 commission.

22 (f) The commission may require any treasurer to file a report  
23 for any period for which the required report is not on file, and  
24 notice of the failure to file shall be part of the public record. Such  
25 report shall be filed within five days after notice by the  
26 commission.

27 (g) For the purpose of any report required to be filed pursuant  
28 to subsection (a) by the treasurer of any candidate seeking nomi-  
29 nation by convention or caucus or by the treasurer of the candi-  
30 date's committee or by the treasurer of any party committee or  
31 political committee, the date of the convention or caucus shall be  
32 considered the date of the primary election.

33 (h) If a report is sent by certified or registered mail on or be-  
34 fore the day it is due, the mailing shall constitute receipt by that  
35 office.

36 ~~Section 1.~~ **Sec. 2.** K.S.A. 25-4149 is hereby amended to read as fol-  
37 lows: 25-4149. (a) All contributions and other receipts received and ex-  
38 penditures made from and including the ~~January 1~~ *first day* following ~~one~~  
39 ~~general election date~~ **the date of the general election** until and in-  
40 cluding the next ensuing primary election date shall be allocated to the  
41 primary election on such date. All contributions and other receipts re-  
42 ceived and expenditures made from midnight on the date of a primary  
43 election through and including ~~the December 31~~ following the date of

1 the next ensuing general election shall be allocated to the general election  
2 on such date.

3 (b) For the purposes of allocating, pursuant to subsection (a), con-  
4 tributions to ~~or expenditures by~~ a candidate seeking nomination by con-  
5 vention or caucus or such candidate's candidate committee, the date of  
6 such convention or caucus shall be considered the primary election date.

7 **Sec. 3. K.S.A. 25-4153a is hereby amended to read as follows:**

8 **25-4153a. (a) No registered lobbyist, political committee or person,**  
9 **other than an individual, shall make a contribution after January 1**  
10 **the day preceding the first day of the regular session of the legislature of**  
11 **each year and prior to adjournment sine die of the regular session**  
12 **of the legislature or at any other time in which the legislature is**  
13 **in session to a:**

14 (1) **Legislator;**  
15 (2) **candidate for membership in the legislature;**  
16 (3) **state officer elected on a statewide basis;**  
17 (4) **candidate for state officer elected on a statewide basis;**  
18 (5) **candidate committee of persons described in paragraphs**  
19 **(1) through (4); or**

20 (6) **political committee established by a state committee of any**  
21 **political party and designated as a recognized political committee**  
22 **for the senate or house of representatives.**

23 (b) **No legislator, officer, candidate or committee described in**  
24 **paragraphs (1) through (6) of subsection (a) shall accept or solicit**  
25 **any contribution as defined by K.S.A. 25-4143, and amendments**  
26 **thereto, from any registered lobbyist, political committee or per-**  
27 **son, other than an individual, during such period of time described**  
28 **in subsection (a).**

29 ~~Sec. 4.~~ **K.S.A. 25-4148, 25-4149 is and 25-4153a are** hereby  
30 **repealed.**

31 ~~Sec. 5.~~ **This act shall take effect and be in force from and after its**  
32 **publication in the statute book.**

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