

HOUSE BILL No. 2520

By Representative Wilson

1-14

AN ACT concerning campaign finance; pertaining to campaign treasurer's reports; amending K.S.A. 25-4148 and 25-4151 and repealing the existing 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, 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;

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

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

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

(2) the name and address of each person who has made one or more

1 contributions in an aggregate amount or value in excess of \$50 during the
2 election period together with the amount and date of such contributions,
3 including the name and address of every lender, guarantor and endorser
4 when a contribution is in the form of an advance or loan;

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

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

10 (5) each contribution, rebate, refund or other receipt not otherwise
11 listed;

12 (6) the total of all receipts;

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

21 (8) the name and address of each person from whom an in-kind con-
22 tribution was received or who has paid for personal services provided
23 without charge to or for any candidate, candidate committee, party com-
24 mittee or political committee, if the contribution is in excess of \$50 and
25 is not otherwise reported under subsection (b)(7), and the amount, date
26 and purpose of the contribution;

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

29 (10) the total of expenditures.

30 (c) Treasurers of candidates and of candidate committees shall be
31 required to itemize, as provided in subsection (b)(2), only the purchase
32 of tickets or admissions to testimonial events by a person who purchases
33 such tickets or admissions in an aggregate amount or value in excess of
34 \$50 per event, or who purchases such a ticket or admission at a cost
35 exceeding \$25 per ticket or admission. All other purchases of tickets or
36 admissions to testimonial events shall be reported in an aggregate amount
37 and shall not be subject to the limitations specified in K.S.A. 25-4154,
38 and amendments thereto.

39 (d) If a contribution or other receipt from a political committee is
40 required to be reported under subsection (b), the report shall include the
41 full name of the organization with which the political committee is con-
42 nected or affiliated or, name or description sufficiently describing the
43 affiliation or, if the committee is not connected or affiliated with any one

1 organization, the trade, profession or primary interest of the political com-
 2 mittee as reflected by the statement of purpose of such organization.

3 (e) The commission may require any treasurer to file an amended
 4 report for any period for which the original report filed by such treasurer
 5 contains material errors or omissions, and notice of the errors or omissions
 6 shall be part of the public record. The amended report shall be filed
 7 within 30 days after notice by the commission.

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

12 (g) For the purpose of any report required to be filed pursuant to
 13 subsection (a) by the treasurer of any candidate seeking nomination by
 14 convention or caucus or by the treasurer of the candidate's committee or
 15 by the treasurer of any party committee or political committee, the date
 16 of the convention or caucus shall be considered the date of the primary
 17 election.

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

20 (i) *Any report required by this section may be signed by the candidate*
 21 *in lieu of the candidate's treasurer or the treasurer of the candidate's*
 22 *committee.*

23 Sec. 2. K.S.A. 25-4151 is hereby amended to read as follows: 25-
 24 4151. (a) Every report or statement made under the campaign finance
 25 act shall be made on forms prescribed by the commission, and contain
 26 substantially the following:

27 "I declare that this (report) (statement), including any accompanying
 28 schedules and statements, has been examined by me and to the best of
 29 my knowledge and belief is true, correct and complete. I understand that
 30 the intentional failure to file this document or intentionally filing a false
 31 document is a class A misdemeanor."
 32

33 _____
 (Date)

 (Signature)

34 Every report or statement shall be dated and signed by: (1) The treasurer
 35 *or candidate* for any report required by K.S.A. 25-4148; (2) the candidate,
 36 for any report required by K.S.A. 25-4144; or (3) the chairperson of the
 37 committee, for any statement required by K.S.A. 25-4145. If the form is
 38 not available, the report or statement to which it relates shall be made as
 39 required, but in such form as the person signing such report or statement
 40 chooses, and the commission may require any such report or statement
 41 to be replaced after filing by a report or statement on the forms provided
 42 by the commission.

43 (b) Records in support of every report or statement filed under the

1 campaign finance act shall be maintained and preserved by the person
2 who files it for a period of time to be designated by the commission.

3 (c) Delay in filing a report or statement beyond the time required by
4 law shall not prevent the acceptance of the report or statement.

5 (d) No treasurer shall accept or permit to be accepted any contri-
6 butions or make or permit to be made any expenditures unless all reports
7 or statements required of such treasurer prior to the time of such con-
8 tributions or expenditures have been filed.

9 Sec. 3. K.S.A. 25-4148 and 25-4151 are hereby repealed.

10 Sec. 4. This act shall take effect and be in force from and after its
11 publication in the statute book.

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