

HOUSE BILL No. 2407

By Committee on Elections and Governmental Organization

2-6

9 AN ACT concerning campaign finance; amending K.S.A. 25-4148 and
10 25-4150 and repealing the existing sections.

11

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

13 Section 1. K.S.A. 25-4148 is hereby amended to read as follows: 25-
14 4148. (a) Every treasurer shall file a report prescribed by this section.
15 Reports filed by treasurers for candidates for state office, other than of-
16 ficers elected on a state-wide basis, shall be filed in both the office of the
17 secretary of state and in the office of the county election officer of the
18 county in which the candidate is a resident. Reports filed by treasurers
19 for candidates for state-wide office shall be filed only with the secretary
20 of state. Reports filed by treasurers for candidates for local office shall be
21 filed in the office of the county election officer of the county in which
22 the name of the candidate is on the ballot. Except as otherwise provided
23 by subsection (h), all such reports shall be filed in time to be received in
24 the offices required on or before each of the following days:

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

29 (2) the eighth day preceding a general election, which report shall be
30 for the period beginning 11 days before the primary election and ending
31 12 days before the general election, inclusive;

32 (3) January 10 of the year after an election year, which report shall
33 be for the period beginning 11 days before the general election and end-
34 ing on December 31, inclusive;

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

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

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

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

42 (2) the name and address of each person who has made one or more
43 contributions in an aggregate amount or value in excess of \$50 during the

1 election period together with the amount and date of such contributions,
2 including the name and address of every lender, guarantor and endorser
3 when a contribution is in the form of an advance or loan;
4 (3) the aggregate amount of all proceeds from bona fide sales of po-
5 litical materials such as, but not limited to, political campaign pins, but-
6 tons, badges, flags, emblems, hats, banners and literature;
7 (4) the aggregate amount of contributions for which the name and
8 address of the contributor is not known;
9 (5) each contribution, rebate, refund or other receipt not otherwise
10 listed;
11 (6) the total of all receipts;
12 (7) the name and address of each person to whom expenditures have
13 been made in an aggregate amount or value in excess of \$50, with the
14 amount, date, and purpose of each ; the names and addresses of all per-
15 sons to whom any loan or advance has been made; when an expenditure
16 is made by payment to an advertising agency, public relations firm or
17 political consultants for disbursement to vendors, the report of such ex-
18 penditure shall show in detail the name of each such vendor and the
19 amount, date and purpose of the payments to each;
20 (8) the name and address of each person from whom an in-kind con-
21 tribution was received or who has paid for personal services provided
22 without charge to or for any candidate, candidate committee, party com-
23 mittee or political committee, if the contribution is in excess of \$50 and
24 is not otherwise reported under subsection (b)(7), and the amount, date
25 and purpose of the contribution; *in kind contributions include the fair*
26 *market value of the item or service or the difference between the fair*
27 *market value and the actual amount charged for such item or service;*
28 (9) the aggregate of all expenditures not otherwise reported under
29 this section; and
30 (10) the total of expenditures.
31 (c) Treasurers of candidates and of candidate committees shall be
32 required to itemize, as provided in subsection (b)(2), only the purchase
33 of tickets or admissions to testimonial events by a person who purchases
34 such tickets or admissions in an aggregate amount or value in excess of
35 \$50 per event, or who purchases such a ticket or admission at a cost
36 exceeding \$25 per ticket or admission. All other purchases of tickets or
37 admissions to testimonial events shall be reported in an aggregate amount
38 and shall not be subject to the limitations specified in K.S.A. 25-4154,
39 and amendments thereto.
40 (d) If a contribution or other receipt from a political committee is
41 required to be reported under subsection (b), the report shall include the
42 full name of the organization with which the political committee is con-
43 nected or affiliated or, name or description sufficiently describing the

1 affiliation or, if the committee is not connected or affiliated with any one
2 organization, the trade, profession or primary interest of the political com-
3 mittee as reflected by the statement of purpose of such organization.

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

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

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

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

21 Sec. 2. K.S.A. 25-4150 is hereby amended to read as follows: 25-
22 4150. Every person, other than a candidate or a candidate committee,
23 party committee or political committee, who makes contributions or ex-
24 penditures, *including in-kind contributions*, other than by contribution to
25 a candidate or a candidate committee, party committee or political com-
26 mittee, in an aggregate amount of \$100 or more within a calendar year
27 shall make statements containing the information required by K.S.A. 25-
28 4148, and amendments thereto. Such statements shall be filed in the
29 office or offices required so that each such statement is in such office or
30 offices on the day specified in K.S.A. 25-4148, and amendments thereto.
31 If such contributions are received or expenditures are made to expressly
32 advocate the nomination, election or defeat of a clearly identified candi-
33 date for state office, other than that of an officer elected on a state-wide
34 basis such statement shall be filed in both the office of the secretary of
35 state and in the office of the county election officer of the county in which
36 the candidate is a resident. If such contributions are received or expend-
37 itures are made to expressly advocate the nomination, election or defeat
38 of a clearly identified candidate for state-wide office such statement shall
39 be filed only in the office of the secretary of state. If such contributions
40 or expenditures are made to expressly advocate the nomination, election
41 or defeat of a clearly identified candidate for local office such statement
42 shall be filed in the office of the county election officer of the county in
43 which the name of the candidate is on the ballot. Reports made under

- 1 this section need not be cumulative.
- 2 Sec. 3. K.S.A. 25-4148 and 25-4150 are hereby repealed.
- 3 Sec. 4. This act shall take effect and be in force from and after its
- 4 publication in the statute book.