

Approved 3-1-90  
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Kenneth R. King at  
Chairperson

9:07 a.m./p.m. on Tuesday, February 27, 1990 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

Pat Mah, Research  
Arden Ensley, Revisor  
Ellie Luthye, Secretary

Conferees appearing before the committee:

The House Election Committee was called to order by Chairman Kenneth R. King at 9:07 a.m. on Tuesday, February 27th.

The Chair made an announcement of the business the committee would be taking up for the remainder of the week, with hearings being held on HB 3056 on Thursday and discussion and final action on Friday, March 2nd.

The Chair called on Arden Ensley, Revisor, to explain the changes that were requested by the Committee in HB 2725. The committee reviewed these changes and discussion was held in regard to each. (Attachment I)

Representative Shallenburger made a motion to delete "maintained" on page 8, line 7 in regards to PAC's. This motion was seconded by Representative Lucas. The motion was put to a vote - a division of vote was requested - and the motion carried on a vote of 13-3. Representative Blumenthal and Representative Sawyer requested their "no" vote be recorded.

Representative Sebelius offered an amendment which would set forth the dollar amount of caps on money contributed to a state party by individuals, the amount contributed to a state party committee by a national party committee, the amount contributed to a party committee from a PAC and the amount contributed to an individual from a PAC. Representative Baker seconded this motion. A division of vote was called for and the motion failed on a tie vote. (Attachment II)

Representative Shallenburger made a motion to leave the caps as now exists in the present law, seconded by Representative Sawyer. A division of vote was called for and the motion failed on a 12-4 vote.

Representative Shallenburger made a motion to adopt all balloons, seconded by Representative Sebelius. The motion carried.

Representative Baker requested that HB 2862 be amended into the bill.

Representative Blumenthal made a motion that HB 2725 be passed favorably, seconded by Representative Sebelius.

Representative Sawyer made a substitute motion that HB 2862 be amended into HB 2725, seconded by Representative Cates. Following discussion Representative Sawyer withdrew his motion.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,  
room 521-S Statehouse, at 9:07 a.m./p.m. on Tuesday, February 27, 1990.

A vote was taken on the motion to pass HB 2725, as amended, out of committee favorably as made by Representative Blumenthal and the motion carried.

The minutes of the meeting on February 22nd were presented for approval. Representative Scott made a motion the minutes be approved, seconded by Representative Shallenburger. The motion carried.

The meeting was adjourned by Chairman King at 10:05 a.m.



# HOUSE BILL No. 2725

By Representatives Baker, Goossen, Helgerson, R.H. Miller, O'Neal, Sader, Sawyer and Sebelius

1-26

AN ACT amending the campaign finance act; amending K.S.A. 25-4144, 25-4145, 25-4146, 25-4149, 25-4150, 25-4152, 25-4156, 25-4157, 25-4158, 25-4159, 25-4172 and 25-4175 and K.S.A. 1989 Supp. 25-4148, 25-4153 and 25-4173 and repealing the existing sections.

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

Section 1. K.S.A. 25-4144 is hereby amended to read as follows: 25-4144. Not later than 10 days after becoming a candidate, every candidate shall appoint a treasurer or in lieu thereof shall appoint a candidate committee. ~~A candidate may appoint the person who is such candidate as treasurer. The treasurer so appointed may be the candidate making such appointment.~~ No candidate shall appoint more than one candidate committee to exist at the same time. If a candidate appoints a candidate committee, such candidate shall appoint a chairperson and a treasurer thereof, and the treasurer so appointed may be the candidate. The name and address of each treasurer and chairperson appointed under this section *by a candidate for a state office* shall be reported to the secretary of state by the candidate not later than 10 days after such appointment. *The name and address of each treasurer and chairperson appointed under this section by a candidate for a local office shall be reported to the county election officer by the candidate not later than 10 days after such appointment.* The candidate for governor shall carry out the requirements and responsibilities of the candidate under the campaign finance act, for the pair of candidates for governor and lieutenant governor, unless another specific provision applies.

Sec. 2. K.S.A. 25-4145 is hereby amended to read as follows: 25-4145. (a) Each party committee and each political committee which anticipates receiving contributions or making expenditures shall appoint a chairperson and a treasurer. The chairperson of each ~~such committee~~ shall make a statement of organization and file it with the secretary of state not later than 10 days after establishment of such committee. *The chairperson of each political committee, the*

party committee and each political committee which supports or opposes a candidate for state office

Attachment I

Elections 2-27-90

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1 major purpose of which is to support or oppose any candidate for  
2 local office, shall make a statement of organization and file it with  
3 the county election officer not later than 10 days after establishment  
4 of such committee.

5 (b) Every statement of organization shall include:

6 (1) The name and address of the committee;

7 (2) the names and addresses of the chairperson and treasurer of  
8 the committee;

9 (3) the names and addresses of affiliated or connected  
10 organizations; and

11 (4) in the case of a political committee, the full name of the  
12 organization with which the committee is connected or affiliated or,  
13 name or description sufficiently describing the affiliation or, if the  
14 committee is not connected or affiliated with any one organization,  
15 the trade, profession or primary interest of contributors of the  
16 political committee.

17 (c) Any change in information previously reported in a statement  
18 of organization shall be reported on a supplemental statement of  
19 organization and filed not later than 10 days following the change.

20 Sec. 3. K.S.A. 25-4146 is hereby amended to read as follows:  
21 25-4146. (a) A candidate may remove any treasurer or chairperson  
22 that such candidate has appointed, and a party committee or political  
23 committee may remove its chairperson or treasurer. In case of a  
24 vacancy in the position of treasurer of a candidate before all of the  
25 obligations of the treasurer have been performed, such candidate  
26 shall be such candidate's own treasurer from the date of such vacancy  
27 until such time as the candidate appoints a successor and reports  
28 the name and address of the treasurer to the secretary of state *if*  
29 *the candidate is a candidate for state office or to the county election*  
30 *officer if the candidate is a candidate for local office.* In case of a  
31 vacancy in the position of treasurer of a candidate committee, the  
32 candidate shall be treasurer from the date of vacancy or removal,  
33 until such time as the candidate appoints a successor and reports  
34 the name and address of the treasurer to the secretary of state *if*  
35 *the candidate is a candidate for state office or to the county election*  
36 *officer if the candidate is a candidate for local office.* In case of a  
37 vacancy in the position of treasurer of a party committee or political  
38 committee, such committee chairperson shall be treasurer from the  
39 date of vacancy or removal; until such time as the committee appoints  
40 a successor and reports the name and address of the treasurer to  
41 the secretary of state ~~if such committee is other than a political~~  
42 ~~committee, the major purpose of which is to support or oppose a~~  
43 ~~candidate for local office, or to the county election officer if such~~

if such committee is a party committee or a political committee the major purpose of which is to support or oppose a candidate for state office

1 *committee is a political committee the major purpose of which is to*  
 2 *support or oppose a candidate for local office.* An individual who  
 3 vacates the position of treasurer by reason of removal or resignation  
 4 shall substantiate the accuracy of such person's records to the  
 5 succeeding treasurer. No resignation of a treasurer shall be effective  
 6 until a written statement of resignation of such treasurer has been  
 7 filed with the secretary of state *if the treasurer is that of a candidate*  
 8 *or committee involving a candidate for state office or with the county*  
 9 *election officer if the treasurer is that of a candidate or committee*  
 10 *involving a candidate for local office.* No removal of a treasurer of  
 11 a candidate or candidate committee shall be effective until a written  
 12 statement of such removal from the candidate has been filed with  
 13 the secretary of state *if the candidate is a candidate for state office*  
 14 *or with the county election officer if the candidate is a candidate*  
 15 *for local office.* No removal of a treasurer of a party committee or  
 16 political committee shall be effective until a written statement of  
 17 such removal from the party committee or political committee has  
 18 been filed with the secretary of state ~~*if such committee is other than*~~  
 19 ~~*a political committee, the major purpose of which is to support or*~~  
 20 ~~*oppose a candidate for local office, or with the county election officer*~~  
 21 ~~*if such committee is a political committee the major purpose of which*~~  
 22 ~~*is to support or oppose a candidate for local office.*~~ The succeeding  
 23 treasurer shall not be held responsible for the accuracy of the  
 24 predecessor treasurer's records.

25 (b) No contribution or other receipt shall be received or  
 26 expenditure made, by or on behalf of a candidate, pair of candidates  
 27 or candidate committee, except receipt or payment of a filing fee:

28 (1) Until such candidate appoints a treasurer and makes the  
 report required by K.S.A. 25-4144 *and amendments thereto*; and

29 (2) unless by or through such treasurer.

30 (c) No contribution or other receipt shall be received or  
 31 expenditure made by or on behalf of a party committee or political  
 32 committee:

33 (1) Until the chairperson of the party committee or a political  
 34 committee has filed a statement of organization required by K.S.A.  
 35 25-4145 *and amendments thereto*; and

36 (2) unless by or through the treasurer of such committee.

37 Section 4. K.S.A. 1989 Supp. 25-4148 is hereby amended to read  
 38 as follows: 25-4148. (a) Every treasurer shall file a report prescribed  
 39 by this section ~~in the office of the secretary of state and in the~~  
 40 ~~office of the county clerk in the county in which the candidate~~  
 41 ~~is a resident so that it is received by such offices for candidates~~  
 42 ~~for state offices, and in the office of the county election officer~~  
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if such committee is a party committee or a  
 political committee the major purpose of  
 which is to support or oppose a candidate for  
 state office

1 for local offices. Reports filed by treasurers for candidates for  
2 state office, other than officers elected on a state-wide basis, shall  
3 be filed in both the office of the secretary of state and in the office  
4 of the county election officer of the county in which the candidate  
5 is a resident. Reports filed by treasurers for candidates for state-  
6 wide office shall be filed only with the secretary of state. Reports  
7 filed by treasurers for candidates for local office shall be filed in  
8 the office of the county election officer of the county in which the  
9 candidate is a resident. Except as otherwise provided by subsection  
10 (h), all such reports shall be filed in time to be received in the  
11 offices required on or before each of the following days:

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

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

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

22 (4) for any calendar year when no election is held, a report shall  
23 be filed on the next January 10 for the preceding calendar year;  
24 except that the report filed January 10, 1990, shall include in addition  
25 to calendar year 1989 the month of December 1988;

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

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

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

31 (2) the name and address of each person who has made one or  
32 more contributions in an aggregate amount or value in excess of \$50  
33 during the election period together with the amount and date of  
34 such contributions, including the name and address of every lender,  
35 guarantor and endorser when a contribution is in the form of an  
36 advance or loan;

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

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

41 (5) each contribution, rebate, refund or other receipt not  
42 otherwise listed;

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(6) the total of all receipts;

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

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

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

(10) the total of expenditures.

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

(d) If a contribution or other receipt from a political committee is required to be reported under subsection (b), the report shall include the full name of the organization with which the political committee is connected or affiliated or, name or description sufficiently describing the affiliation or, if the committee is not connected or affiliated with any one organization, the trade, profession or primary interest of contributors of the political committee.

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

(f) The commission may require any treasurer to file a report for



1 any period for which the required report is not on file, and notice  
 2 of the failure to file shall be part of the public record. Such report  
 3 shall be filed within five days after notice by the commission.

4 (g) For the purpose of any report required to be filed pursuant  
 5 to subsection (a) by the treasurer of any candidate seeking nomination  
 6 by convention or caucus or by the treasurer of the candidate's  
 7 committee or by the treasurer of any party committee or political  
 8 committee of which the primary purpose is supporting or opposing  
 9 the nomination of any such candidate, the date of the convention  
 10 or caucus shall be considered the date of the primary election.

11 (h) If a report is sent to ~~the office of the secretary of state~~  
 12 ~~for state offices, or for local offices in the office of the county~~  
 13 ~~election officer,~~ by certified or registered mail on or before the  
 14 day it is due, the mailing shall constitute receipt by that office.

15 Sec. 5. K.S.A. 25-4149 is hereby amended to read as follows:  
 16 25-4149. (a) All contributions and other receipts received and  
 17 expenditures made from and including the ~~December~~ *January 1*  
 18 following one general election date until and including the next  
 19 ensuing primary election date shall be allocated to the primary  
 20 election on such date. All contributions and other receipts received  
 21 and expenditures made from midnight on the date of a primary  
 22 election through and including the ~~November 30~~ *December 31*  
 23 following the date of the next ensuing general election shall be  
 24 allocated to the general election on such date.

25 (b) For the purposes of allocating, pursuant to subsection (a),  
 26 contributions to or expenditures by a candidate seeking nomination  
 27 by convention or caucus or such candidate's candidate committee,  
 28 the date of such convention or caucus shall be considered the primary  
 29 election date.

30 Sec. 6. K.S.A. 25-4150 is hereby amended to read as follows:  
 31 25-4150. Every person, other than a candidate or a candidate  
 32 committee, party committee or political committee, who makes  
 33 contributions or expenditures, other than by contribution to a  
 34 candidate or a candidate committee, party committee or political  
 35 committee, in an aggregate amount of \$100 or more within a calendar  
 36 year shall make statements containing the information required by  
 37 K.S.A. 25-4148 *and amendments thereto*, and file them in the office  
 38 of the ~~secretary of state or offices required~~ so that each such  
 39 statement is in such office *or offices* on the day specified in K.S.A.  
 25-4148 *and amendments thereto*. Reports made under this section  
 need not be cumulative.

40 Sec. 7. K.S.A. 25-4152 is hereby amended to read as follows:  
 41 25-4152. (a) The Kansas public disclosure commission shall send a

If such contributions or expenditures are made to support or oppose a candidate for state office, other than that of an officer elected on a state-wide basis such statement 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. If such contributions or expenditures are made to support <sup>or</sup> oppose a candidate for statewide office such statement shall be filed only in the office of the secretary of state. If such contributions or expenditures are made to support or oppose a candidate for local office such statement shall be filed in the office of the county election officer of the county in which the candidate is a resident.

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notice by registered or certified mail to any person failing to file any report or statement required by K.S.A. 25-4144, 25-4145 or 25-4148, and amendments thereto, within the time period prescribed therefor. The notice shall state that the required report or statement has not been filed with *either* the office of secretary of state or *county election officer or both*. The notice shall also state that such person shall have 15 days from the date such notice is deposited in the mail to comply with the registration and reporting requirements before a civil penalty shall be imposed for each day that the required documents remain unfiled. If such person fails to comply within the prescribed period, such person shall pay to the state a civil penalty of \$10 per day for each day that such report or statement remains unfiled, except that no such civil penalty shall exceed \$300. The Kansas public disclosure commission may waive, for good cause, payment of any civil penalty imposed by this section.

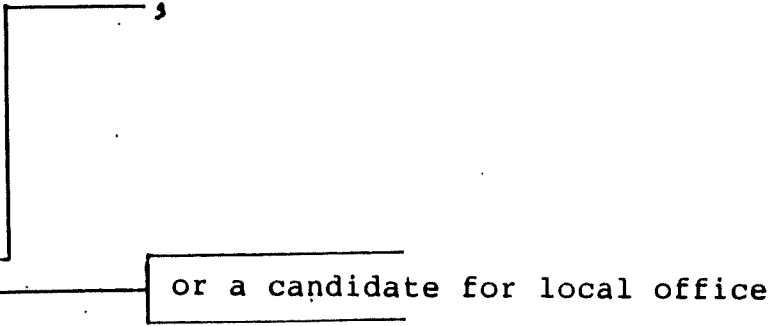
(b) Civil penalties provided for by this section shall be paid to the state treasurer, who shall deposit the same in the state treasury to the credit of the state general fund.

(c) If a person fails to pay a civil penalty provided for by this section, it shall be the duty of the attorney general or county or district attorney to bring an action to recover such civil penalty in the district court of the county in which such person resides.

Sec. 8. K.S.A. 1989 Supp. 25-4153 is hereby amended to read as follows: 25-4153. (a) The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any person, except a party committee and its recognized political committees, the candidate or the candidate's spouse, shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor and for other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election;

(2) for the office of state senator, member of the house of representatives, district judge, district magistrate judge, district attorney, ~~member of the state board of education,~~ \$500 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.



or a candidate for local office

(b) For the purposes of this section, the face value of a loan at the end of the period of time allocable to the primary or general election is the amount subject to the limitations of this section. A loan in excess of the limits herein provided may be made during the allocable period if such loan is reduced to the permissible level,

1 when combined with all other contributions from the person making  
2 such loan, at the end of such allocable period.

3 (c) For purposes of the contribution limitations, the following  
4 apply:

5 (1) All payments made by a person, organization, or political  
6 action committee whose contribution or expenditure activity is  
7 financed, maintained, or controlled by a corporation, labor  
8 organization, association, or any other person or committee, including  
9 a parent, subsidiary, branch, division, department, or local unit of  
10 the corporation, labor organization, association, or any other person,  
11 or by a group of such persons are considered made by the same  
12 person or committee.

13 (2) Two or more entities are treated as a single entity if the  
14 entities:

15 (A) Share the majority of members on their boards of directors;  
16 or

17 (B) are owned or controlled by the same majority shareholder or  
18 shareholders; or

19 (C) are local units or divisions of a political committee. An entity  
20 will be deemed a local unit or division if membership in the political  
21 committee is a condition of membership in the local unit or division  
22 or the local unit or division is required to pay membership dues to  
23 the political committee or members of the local unit or division are  
24 required to pay membership dues to the political committee.

25 (d) Each state party committee may designate one recognized  
26 political committee for the house of representatives and one  
27 recognized political committee for the senate.

28 (e) The aggregate amount contributed to a party committee  
29 other than from a national party committee shall not exceed  
30 \$1,500 for each primary election and an equal amount for each  
31 general election when contributed by a person other than a  
32 political committee. The aggregate amount contributed to a  
33 state party committee shall not exceed \$25,000 each calendar  
34 year when contributed by a national party committee, and the  
35 aggregate amount contributed to any other party committee  
36 shall not exceed \$1,500 for each primary election and an equal  
37 amount for each general election when contributed by a  
38 national party committee. The aggregate amount contributed to  
39 a party committee shall not exceed \$500 for each primary  
40 election and a like amount for each general election when  
41 contributed by a political committee. The aggregate amount  
42 contributed to a candidate for member of the house of representatives  
43 shall not exceed \$750 for each primary election and an equal amount

1 for each general election when contributed by a recognized political  
2 committee of the house of representatives. The aggregate amount  
3 contributed to a candidate for the senate shall not exceed \$5,000 for  
4 each primary election and an equal amount for each general election  
5 when contributed by a recognized political committee of the senate.  
6 A recognized political party of one house of the legislature may  
7 contribute only to candidates for a member of its own house of the  
8 legislature.

9 (f) The aggregate amount contributed to a recognized political  
10 committee shall not exceed \$1,000 for each primary election and a  
11 like amount for each general election when contributed by a person  
12 other than a political committee. The aggregate amount contributed  
13 to a recognized political committee shall not exceed \$500 for each  
14 primary election and a like amount for each general election when  
15 contributed by a political committee.

16 (g) Any political funds which have been collected and were not  
17 subject to the reporting requirements of this act shall be deemed a  
18 person subject to these contribution limitations.

19 (h) Any political funds which have been collected and were  
20 subject to the reporting requirements of the campaign finance act  
21 shall not be used in or for the campaign of a candidate for a federal  
22 elective office.

23 Sec. 9. K.S.A. 25-4156 is hereby amended to read as follows:  
24 25-4156. (a) (1) Whenever any person sells space in any newspaper,  
25 magazine or other periodical to a candidate or to a candidate  
26 committee, party committee or political committee, the charge made  
27 for the use of such space shall not exceed the charges made for  
28 comparable use of such space for other purposes.

29 (2) Intentionally charging an excessive amount for political  
30 advertising is a class A misdemeanor.

31 (b) (1) Corrupt political advertising of a state or local office is:  
32 Publishing or causing to be published in a newspaper or other  
33 periodical any paid matter which is designed or tends to aid, injure  
34 or defeat any candidate for nomination or election to a state or local  
35 office, unless such matter is followed by the word "advertisement"  
36 or the abbreviation "adv." in a separate line together with the name  
37 of the chairperson of the political or other organization inserting the  
38 same or the name of the person who is responsible therefor; or  
39 broadcasting or causing to be broadcast by any radio or television  
40 station any paid matter which is designed or tends to aid, injure or  
41 defeat any candidate for nomination or election to a state or local  
42 office, unless such matter is followed by a statement that the  
43 preceding was an advertisement together with the name of the

1 chairperson of the political or other organization sponsoring the same  
2 or the name of the person who is responsible therefor.

3 (2) Corrupt political advertising of a state or local office is a class  
4 C misdemeanor.

5 Sec. 10. K.S.A. 25-4157 is hereby amended to read as follows:  
6 25-4157. Before any candidate committee, party committee or  
7 political committee may be dissolved or the position of a candidate's  
8 treasurer terminated, the treasurer of the candidate or such  
9 committee shall file a termination report with the secretary of state  
10 which shall include full information as to the disposition of residual  
11 funds. Any report required by K.S.A. 25-4148 and amendments  
12 thereto may be a termination report. *Reports of the dissolution of*  
13 *candidate committees of candidates for state office, the termination*  
14 *of the treasurer of a candidate for state office, the dissolution of a*  
15 *political committee the major purpose of which is to support or*  
16 *oppose any candidate for state office and the dissolution of party*  
17 *committees shall be filed in the office of the secretary of state.*  
18 *Reports of the dissolution of candidate committees of candidates for*  
19 *local office, the termination of the treasurer of a candidate for local*  
20 *office and the dissolution of a political committee the major purpose*  
21 *of which is to support or oppose any candidate for local office shall*  
22 *be filed in the office of the county election officer of the county.*

23 Sec. 11. K.S.A. 25-4158 is hereby amended to read as follows:  
24 25-4158. (a) The secretary of state shall: (1) Furnish forms prescribed  
25 and provided by the commission for making reports and statements  
26 required to be filed in the office of the secretary of state by the  
27 campaign finance act; and

28 (2) make such reports and statements available for public  
29 inspection and copying during regular office hours.

30 (b) *The county election officer shall: (1) Furnish forms prescribed*  
31 *and provided by the commission for making reports and statements*  
32 *required to be filed in the office of the county election officer by*  
33 *the campaign finance act; and*

34 (2) *make such reports and statements available for public*  
35 *inspection and copying during regular office hours.*

36 (b) (c) The commission may investigate, or cause to be  
37 investigated, any matter required to be reported upon by any person  
38 under the provisions of the campaign finance act, or any matter to  
39 which the campaign finance act applies irrespective of whether a  
complaint has been filed in relation thereto.

40 ~~Sec. 12. K.S.A. 25-4159 is hereby amended to read as follows:~~  
41 ~~25-4159. The commission upon its own initiative may, and upon the~~  
42 ~~request of any individual to which the campaign finance act applies~~  
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~~shall, render an opinion in writing on questions concerning the interpretation of the campaign finance act. Any person who acts in accordance with the provisions of such an opinion, shall be presumed to have complied with the provisions of the campaign finance act. A copy of every opinion rendered by the commission shall be filed with the secretary of state, and any opinion so filed shall be open to public inspection. The secretary of state shall publish all opinions rendered under this section monthly and each such publication shall be cumulative. Copies of each opinion shall be filed with the secretary of the senate and the chief clerk of the house on the same date as the same are filed with the secretary of state. The secretary of state shall cause adequate copies of all filings under this section to be supplied to the state library.~~

12

Sec. 16. K.S.A. 25-4172 is hereby amended to read as follows: 25-4172. (a) Except as provided by subsection (b), any combination of three or more individuals or a person other than an individual, not domiciled in this state, which makes or intends to make a contribution or contributions to a candidate, candidate committee, party committee or political committee in this state shall either:

(1) Prepare a verified statement containing: (A) The names and addresses of the responsible individuals; (B) the name and address of each person who has made one or more contributions to such out-of-state combination of individuals or person other than an individual in an aggregate amount in excess of \$50 within the preceding 12 months, together with the amount and date of such contributions; and (C) the aggregate amount of all other contributions to such out-of-state combination of individuals or person other than an individual within the preceding 12 months. Such statement shall be submitted to each treasurer receiving any contribution from such out-of-state combination of individuals or person other than an individual. Such statement shall be a part of and attached to the report required of such treasurer by K.S.A. 25-4148, and amendments thereto; or

(2) file a statement of organization as provided by K.S.A. 25-4145, and amendments thereto, establish a separate fund for the purpose of receiving contributions and making expenditures relating to any election for state office in this state and file statements and reports involving such fund in the manner provided by K.S.A. 25-4148, and amendments thereto, for political committees and party committees. Any transfer from another fund to the separate fund herein provided for shall be subject to the requirements of provision (1).

(b) The provisions of subsection (a) shall not apply to: (1) Any

filed in the office of the secretary of state at the times prescribed for the filing of reports of treasurers

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1 political party having a national organization *which reports under*  
2 *federal law*; (2) a bona fide corporation organized under the laws of  
3 another state; or (3) a union, if the contribution is made from union  
4 funds.

5 (c) Each combination of individuals or person other than an  
6 individual which is subject to this section shall maintain, in its own  
7 records, the name and address of any person who has made one or  
8 more contributions to such combination of individuals or person other  
9 than an individual, together with the amount and date of such  
10 contributions, regardless of whether such information is required to  
11 be reported.

12 Sec. ~~14~~. K.S.A. 1989 Supp. 25-4173 is hereby amended to read  
13 as follows: 25-4173. Every candidate for state or local office who  
14 intends to expend or have expended on such person's behalf an  
15 aggregate amount or value of less than \$500, exclusive of such  
16 candidate's filing fee, and who intends to receive or have received  
17 on such person's behalf contributions in an aggregate amount or  
18 value of less than \$500 in each the primary and the general election  
19 shall file, ~~prior to the date that the first report for such year next~~  
20 ~~following the filing deadline is required to be filed pursuant to K.S.A.~~  
21 ~~25-4148 and amendments thereto~~, an affidavit of such intent with  
22 the secretary of state for state offices and the county election officer  
23 of the county of residence of the candidate for local offices. No report  
24 required by K.S.A. 25-4148, and amendments thereto, shall be  
25 required to be filed by or for such candidate.

13

not later than the ninth day preceding the  
primary election

26 Sec. ~~15~~. K.S.A. 25-4175 is hereby amended to read as follows:  
27 25-4175. For any calendar year during which a party or political  
28 committee intends to expend an aggregate amount or value of less  
29 than \$500 and intends to receive contributions in an aggregate  
30 amount or value of less than \$500 and during which such party or  
31 political committee intends to receive no contributions in excess of  
32 \$50 from any one contributor, the treasurer of such party or political  
33 committee shall file an affidavit of such intent with the secretary of  
34 state. Such treasurer shall not be required to file the reports required  
35 by K.S.A. 25-4148 *and amendments thereto* for the year for which  
36 such affidavit is filed. Such affidavit may be filed at any time ~~prior~~  
37 ~~to the date that the first report for such year next following the filing~~  
38 ~~deadline is required to be filed by K.S.A. 25-4148 and amendments~~  
39 ~~thereto~~.

14

if such committee is a party committee or a  
political committee which supports or opposes  
a candidate for state office and with the  
county election officer if the committee is a  
political committee which supports or opposes  
a candidate for local office

not later than the ninth day preceding the  
primary election

Sec. 15. K.S.A. 25-904 is hereby amended to read as follows: 25-904. (a) Every candidate for election to any city, unified school district, community college or township office subject to this act who intends to expend or have expended on such person's behalf an aggregate amount or value of less than \$500, exclusive of such candidate's filing fee, and who intends to receive or have received on such person's behalf contributions in an aggregate amount or value of less than \$500 in each the primary and the general election shall file, not later than the ninth day preceding the primary election, an affidavit of such intent with the county election officer of the county of residence of the candidate. No report required by subsection (b) shall be required to be filed by or for such candidate.

(b) Except as provided in subsection (a) it shall be the duty of every candidate for nomination or for election to any city, unified school district, community junior college, or township or county office subject to this act, within ~~thirty-(30)~~ 30 days after each primary, general or special election, to file with the county election officer an itemized statement under oath of all expenditures made by such candidate or obligations contracted or incurred by ~~him--or her~~ such candidate in connection with each primary, general or special election. ~~if--no expenditures--are-made-and-no-obligations-are contracted-or-incurred-by--a--candidate,--the candidate-shall-file-with-the-county-election officer-a-statement-to-that-effect.~~

(c) No candidate which is subject to the provisions of the campaign finance act (K.S.A. 25-4142 et seq., and amendments thereto) shall be required to file any report required by this section.

25-904,

40 Sec. 16. K.S.A. ~~25-4144, 25-4145, 25-4146, 25-4149, 25-4150, 25-~~  
 41 4152, 25-4156, 25-4157, 25-4158, 25-4159, 25-4172 and 25-4175 and  
 42 K.S.A. 1989 Supp. 25-4148, 25-4153 and 25-4173 are hereby  
 43 repealed.



1     Sec. 17. This act shall take effect and be in force from and after  
2     its publication in the Kansas register.

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Sec. 1. K.S.A. 1989 Supp. 25-4153 is hereby amended to read as follows: 25-4153. (a) The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any person, except a party committee and its recognized political committees, the candidate or the candidate's spouse, shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor and for other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election;

(2) for the office of state senator, member of the house of representatives, district judge, district magistrate judge, district attorney or member of the state board of education, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.

(b) For the purposes of this section, the face value of a loan at the end of the period of time allocable to the primary or general election is the amount subject to the limitations of this section. A loan in excess of the limits herein provided may be made during the allocable period if such loan is reduced to the permissible level, when combined with all other contributions from the person making such loan, at the end of such allocable period.

(c) For purposes of the contribution limitations, the following apply:

(1) All payments made by a person, organization, or political action committee whose contribution or expenditure activity is financed, maintained, or controlled by a corporation, labor organization, association, or any other person or committee, including a parent, subsidiary, branch, division, department, or local unit of the corporation, labor organization, association, or any other person, or by a group of such persons are considered made by the same person or committee.

(2) Two or more entities are treated as a single entity if

the entities:

(A) Share the majority of members on their boards of directors; or

(B) are owned or controlled by the same majority shareholder or shareholders; or

(C) are local units or divisions of a political committee. An entity will be deemed a local unit or division if membership in the political committee is a condition of membership in the local unit or division or the local unit or division is required to pay membership dues to the political committee or members of the local unit or division are required to pay membership dues to the political committee.

(d) Each state party committee may designate one recognized political committee for the house of representatives and one recognized political committee for the senate.

(e) The aggregate amount contributed to a state party committee other than from a national party committee or a political committee shall not exceed \$10,000 each calendar year, and the aggregate amount contributed to a any other party committee other than from a national party committee or a political committee shall not exceed \$1,500 for each primary election and an equal amount for each general election when *5,000 all annual*  
~~contributed-by-a-person-other-than-a-political-committee.~~

The aggregate amount contributed to a state party committee shall not exceed \$25,000 each calendar year when contributed by a national party committee, and the aggregate amount contributed to any other party committee shall not exceed ~~\$1,500~~ *10,000 all annual* for each primary election and an equal amount for each general election when contributed by a national party committee.

*2,500* The aggregate amount contributed to a party committee shall not exceed \$500 for each primary election and a like amount for each general election when contributed by a political committee.

The aggregate amount contributed to a candidate for member of the house of representatives shall not exceed \$750 for each primary election and an equal amount for each general election when contributed by a recognized political committee of the house of representatives.

The aggregate amount contributed to a candidate for the senate shall not exceed \$5,000 for each primary election and an equal amount for each general election when contributed by a recognized political committee of the senate.

A recognized political party of one house of the legislature may contribute only to candidates for a member of its own house of the legislature.

(f) The aggregate amount contributed to a recognized political committee shall not exceed \$1,000 for each primary election and a like amount for each general election when contributed by a person other than a political committee. The aggregate amount contributed to a recognized political committee shall not exceed \$500 for each primary election and a like amount for each general election when contributed by a political committee.

(g) Any political funds which have been collected and were not subject to the reporting requirements of this act shall be deemed a person subject to these contribution limitations.

(h) Any political funds which have been collected and were subject to the reporting requirements of the campaign finance act shall not be used in or for the campaign of a candidate for a federal elective office.