

Senate Substitute for HOUSE BILL No. 2054

By Committee on Federal and State Affairs

3-19

1 AN ACT concerning elections; relating to campaign contribution limits;
2 increasing the limits on certain campaign contributions; eliminating
3 such limits on contributions to or by party committees; amending
4 K.S.A. 25-4153 and repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 25-4153 is hereby amended to read as follows: 25-
8 4153. (a) The aggregate amount contributed to a candidate and such
9 candidate's candidate committee and to all party committees and political
10 committees and dedicated to such candidate's campaign, by any political
11 committee or any person except a party committee, the candidate or the
12 candidate's spouse, shall not exceed the following:

13 (1) For the pair of offices of governor and lieutenant governor or for
14 other state officers elected from the state as a whole, ~~\$2,000~~ \$4,000 for
15 each primary election ~~or~~, or in lieu thereof, a caucus or convention of a
16 political party, and an equal amount for each general election.

17 (2) For the office of member of the house of representatives, district
18 judge, district magistrate judge, district attorney or a candidate for local
19 office *whose jurisdiction has a population that is fewer than 50,000*, ~~\$500~~
20 \$1,000 for each primary election ~~or~~, or in lieu thereof, a caucus or
21 convention of a political party, and an equal amount for each general
22 election.

23 (3) For the office of state senator ~~or~~, member of the state board of
24 education *or a candidate for local office whose jurisdiction has a*
25 *population that is 50,000 or more*, ~~\$1,000~~ \$2,000 for each primary election
26 ~~or~~, or in lieu thereof, a caucus or convention of a political party, and an
27 equal amount for each general election.

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

35 (c) For the purposes of this section, all contributions made by
36 unemancipated children under 18 years of age shall be considered to be

1 contributions made by the parent or parents of such children. The total
2 amount of such contribution shall be attributed to a single custodial parent
3 and 50% of such contribution to each of two parents.

4 ~~(d) The aggregate amount contributed to a state party committee by a
5 person other than a national party committee or a political committee shall
6 not exceed \$15,000 in each calendar year; and the aggregate amount
7 contributed to any other party committee by a person other than a national
8 party committee or a political committee shall not exceed \$5,000 in each
9 calendar year.~~

10 ~~The aggregate amount contributed by a national party committee to a
11 state party committee shall not exceed \$25,000 in any calendar year, and
12 the aggregate amount contributed to any other party committee by a
13 national party committee shall not exceed \$10,000 in any calendar year.~~

14 ~~The aggregate amount contributed to a party committee by a political
15 committee shall not exceed \$5,000 in any calendar year.~~

16 ~~(e)—(1) *The aggregate amount contributed to a party committee, as
17 defined in K.S.A. 25-4143(j)(1), (4), (5) or (6), and amendments thereto,
18 by a person other than a party committee shall not exceed \$50,000 in each
19 calendar year.*~~

20 ~~(2) *The aggregate amount contributed by a national party committee
21 to a party committee, as defined in K.S.A. 25-4143(j)(1), (4), (5) or (6),
22 and amendments thereto, shall not exceed \$50,000 in any calendar year.*~~

23 ~~(3) *The aggregate amount contributed to any party committee, as
24 defined in K.S.A. 25-4143(j)(2), and amendments thereto, by a person
25 other than a party committee shall not exceed \$20,000 in each calendar
26 year.*~~

27 ~~(4) *The aggregate amount contributed by a national party
28 committee to any party committee, as defined in K.S.A. 25-4143(j)(2),
29 and amendments thereto, shall not exceed \$20,000 in any calendar year.*~~

30 ~~(e) *The amount contributed by each individual party committee of
31 the same political party, other than a national party committee, to any
32 candidate for office for any primary election at which two or more
33 candidates are seeking the nomination of such party shall not exceed the
34 following:*~~

35 ~~(1) *For the pair of offices of governor and lieutenant governor and
36 for each of the other state officers elected from the state as a whole,
37 \$4,000 for each primary election, or in lieu thereof, a caucus or
38 convention of a political party.*~~

39 ~~(2) *For the office of member of the house of representatives, district
40 judge, district magistrate judge, district attorney or a candidate for local
41 office whose jurisdiction has a population that is fewer than 50,000,
42 \$1,000 for each primary election, or in lieu thereof, a caucus or
43 convention of a political party.*~~

1 (3) *For the office of state senator, member of the state board of*
 2 *education or a candidate for local office whose jurisdiction has a*
 3 *population that is 50,000 or more, \$2,000 for each primary election, or*
 4 *in lieu thereof, a caucus or convention of a political party.*

5 (f) *No expenditures made by a party committee in support of a*
 6 *candidate, with or without such candidate's cooperation or consent, shall*
 7 *constitute a contribution.*

8 ~~(g)~~ (1) *If a candidate or a candidate's candidate committee*
 9 *receives contributions prior to the date of the primary election and such*
 10 *contributions are designated for use in connection with the general*
 11 *election, such candidate or such committee shall use an acceptable*
 12 *accounting method to distinguish between contributions received for the*
 13 *primary election and contributions received for the general election.*
 14 *Acceptable accounting methods include, but are not limited to:*

15 (A) *The designation of separate accounts for each election; or*

16 (B) *the establishment of separate books and records for each*
 17 *election.*

18 (2) *Under any acceptable accounting method, the authorized records*
 19 *of a candidate or candidate committee shall demonstrate that, prior to the*
 20 *primary election, the recorded amount of cash on hand was at all times*
 21 *equal to or in excess of an amount equal to the sum of the contributions*
 22 *received and designated for use in connection with the general election*
 23 *less the sum of disbursements made for the general election.*

24 ~~(g)~~(h) *For purposes of this section, "jurisdiction" means:*

25 (1) *The city, county or school district if the candidate is seeking*
 26 *election to a local office that is elected at large in such city, county or*
 27 *school district; and*

28 (2) *the electoral district if the candidate is seeking election as a*
 29 *member of a governing body that has member districts.*

30 ~~(h)~~(i) *Any political funds—~~which~~ that have been collected and were*
 31 *not subject to the reporting requirements of this act shall be deemed a*
 32 *person subject to these contribution limitations.*

33 ~~(i)~~~~(j)~~ *Any political funds—~~which~~ that have been collected and were*
 34 *subject to the reporting requirements of the campaign finance act shall not*
 35 *be used in or for the campaign of a candidate for a federal elective office.*

36 (g) *The amount contributed by each individual party committee of the*
 37 *same political party other than a national party committee to any candidate*
 38 *for office, for any primary election at which two or more candidates are*
 39 *seeking the nomination of such party shall not exceed the following:*

40 (1) *For the pair of offices of governor and lieutenant governor and for*
 41 *each of the other state officers elected from the state as a whole, \$2,000 for*
 42 *each primary election (or in lieu thereof a caucus or convention of a*
 43 *political party):*

1 ~~(2) For the office of member of the house of representatives, district~~
2 ~~judge, district magistrate judge, district attorney or a candidate for local~~
3 ~~office, \$500 for each primary election (or in lieu thereof a caucus or~~
4 ~~convention of a political party).~~

5 ~~(3) For the office of state senator or member of the state board of~~
6 ~~education, \$1,000 for each primary election (or in lieu thereof a caucus or~~
7 ~~convention of a political party).~~

8 ~~(h) When a candidate for a specific cycle does not run for office, the~~
9 ~~contribution limitations of this section shall apply as though the individual~~
10 ~~had sought office.~~

11 ~~(i) No person shall make any contribution or contributions to any~~
12 ~~candidate or the candidate committee of any candidate in the form of~~
13 ~~money or currency of the United States which in the aggregate exceeds~~
14 ~~\$100 for any one primary or general election, and No candidate or~~
15 ~~candidate committee of any candidate shall accept any contribution or~~
16 ~~contributions in the form of money or currency of the United States which~~
17 ~~in the aggregate exceeds \$100 from any one person for any one primary or~~
18 ~~general election.~~

19 Sec. 2. K.S.A. 25-4153 is hereby repealed.

20 Sec. 3. This act shall take effect and be in force from and after its
21 publication in the Kansas register.