

SENATE BILL No. 126

By Committee on Ethics and Elections

2-7

1 AN ACT concerning elections and campaign finance; relating to public
2 service advertisements by candidates.

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

5 Section 1. (a) No candidate for elected office shall either appear
6 in a public service announcement or advertisement or allow the
7 candidate's name to be used in a public service announcement or
8 advertisement during the 60 days before any election in which the
9 candidate's name appears on the ballot.

10 (b)(1) "Public service announcement or advertisement" means any
11 message *paid for with public sector funds or private sector funds*
12 *from the current contractor of the sponsoring government entity and*
13 *broadcast or distributed* by electronic, telephonic or print media
14 promoting or announcing some issue of public importance, public
15 concern or public welfare ~~regardless of whether or not the~~
16 ~~advertisement or announcement involves the donation of time or space~~
17 ~~on behalf of the media or is paid for with public or private sector funds.~~

18 (2) *"Public service announcement or advertisement" shall not*
19 *include any news stories or articles, editorial endorsements, opinion*
20 *or commentary writings, or letters to the editor printed in a*
21 *newspaper, magazine or other periodical or broadcast media not*
22 *owned or controlled by the candidate.*

23 (c) "Electronic media" shall not include the website for the
24 government agency or other entity that administers the program
25 promoted by the public service announcement or advertisement.

26 (d) "Print media" means direct mail literature and advertisements
27 in any newspaper, magazine or any other periodical publication, but it
28 shall not include printed literature promoting a program so long as it is
29 used regularly throughout the year in the regular course of business and
30 it is not distributed in an unsolicited direct mail advertising campaign at
31 a cost exceeding \$2,000 during the 60 days before any election in
32 which the candidate's name appears on the ballot.

33 (e) Any person who *intentionally* violates this section shall be

1 subject to the civil penalties provided by K.S.A. 25-4181, and
2 amendments thereto.

3 (f) This act shall be part of and supplemental to the campaign
4 finance act.

5 Sec. 2. This act shall take effect and be in force from and after its
6 publication in the statute book.

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