

SESSION OF 2014

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2296**

As Agreed to April 2, 2014

**Brief\***

HB 2296 would amend statutes concerning allowable uses and disposition of campaign funds, lobbyist and candidate reporting requirements, and disclosure requirements for certain contributions.

***Allowable Uses and Disposition of Campaign Funds***

The bill would amend the Campaign Finance Act to explicitly authorize campaign funds to be used for donations to a 501(c)(3) tax exempt organization or any religious organization. The change would expand current law, which allows use of campaign funds for donations to a community service or civic organization.

The bill also would specify that, if a candidate dies with an open candidate committee account that contains campaign funds, the executor or administrator of the candidate's estate would be responsible for terminating the committee and disposing of the remaining funds.

***Lobbyist and Candidate Reporting Requirements***

With respect to lobbyists, the bill would delete the requirement that a lobbyist file a year-end summary report when the lobbyist has spent an aggregate amount of less than \$100 for lobbying in any reporting period during that year.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Regarding candidates, the bill would increase the amount that triggers whether the candidate may file an affidavit instead of a detailed reporting of campaign contributions or expenditures. Under the bill, if a candidate intends to spend less than \$1,000 (instead of the current amount of \$500) and receive less than \$1,000 (instead of the current amount of \$500) for either the primary or general election, the candidate would be required to file an affidavit of such intent with the county election officer. By revising both KSA 25-904 and KSA 25-4173, this change would affect every candidate for election to any state office or offices of the following local governments: cities of the first, second, or third class; unified school districts; counties; community colleges; townships; and the board of public utilities.

### ***Disclosure Requirements for Certain Contributions***

The bill would amend the Campaign Finance Act by removing the requirement that treasurers of candidates, political committees, and party committees who report a contribution over \$150 by an individual identify the industry of the individual contributor, in addition to the contributor's occupation.

The bill would be in effect upon publication in the *Kansas Register*.

### **Conference Committee Action**

The Conference Committee adopted the Senate amendments to HB 2296 and inserted the provisions of SB 100 with Senate amendments, as well as the provisions of SB 339.

### **Background**

The bill includes provisions from the following bills: HB 2296, SB 100, and SB 339.

***HB 2296, Allowable Uses and Disposition of Campaign Funds***

Representative DeGraaf testified in support of the bill in the House Committee on Elections. He described it as an attempt to clarify existing statutory language regarding donations to a community service or civic organization. He indicated he believed legislative intent was to allow use of campaign funds to support charitable causes, and passage of the bill would allow donations to Boy Scouts or Girl Scouts, a church, or a Lions Club pancake feed, for example.

There was no other testimony on the bill.

The Senate Committee of the Whole amended the bill to add the provisions dealing with funds in a candidate account upon a candidate's death and to make the bill effective upon publication in the *Kansas Register*.

The fiscal note submitted by the Division of the Budget on the original bill said the Governmental Ethics Commission indicated the bill would have no fiscal effect on state revenues or expenditures. No fiscal note was immediately available on the Senate Committee of the Whole amendment.

***SB 100, Lobbyist and Candidate Reporting Requirements***

The original bill was introduced by the Senate Committee on Ethics, Elections, and Local Government upon request by the Kansas Governmental Ethics Commission (KGEC). At the Senate Committee hearing the KGEC Executive Director testified favorably, indicating the KGEC believes the year-end summary report is redundant and unnecessary. No other testimony was received.

The Senate Committee amended the bill to add the contents of SB 98, which dealt with candidate reporting requirements for specified local offices, and expand the amendment to include an identical change to the statute

dealing with the same requirements in the Campaign Finance Act (which covers state offices and offices in cities of the first class, unified school districts with a student population of 35,000 or greater, and the board of public utilities).

The House Committee on Elections amended the bill to add the contents of HB 2314 (which dealt with hospitality and gifting by lobbyists) as amended by the Committee, except the current statutory limit of \$100 for hospitality in the form of recreation was retained. The Committee also included party or political committees as entities for which the limit triggering detailed reporting of expenditures and contributions was raised from \$500 to \$1,000. Note: The House Committee amendments were not adopted by the Conference Committee on HB 2296.

SB 100 was stricken from the House Calendar during the 2013 Session pursuant to Rule 1507.

The Division of the Budget fiscal note on SB 100, as introduced, indicates passage of the original bill would have no fiscal effect on the KGEC except for a very small savings amount. The fiscal note on SB 98, as introduced, indicates passage of the bill would have no fiscal effect. The fiscal note on HB 2314 indicated the bill would have no direct effect on the state budget.

### ***SB 339, Disclosure Requirements for Certain Contributions***

The bill is nearly identical to the introduced version of 2010 SB 417, which was requested by the Kansas Governmental Ethics Commission (KGEC). The testimony on the prior bill was used at the hearing on the current bill. In that testimony, the KGEC representative indicated the requirement to report an individual's industry, which had been added to the statute in 2008, appeared not to add useful information and appeared to be confusing to those doing the reporting, resulting in omissions on the reports. No other

testimony was received.

The Senate Committee on Ethics and Elections recommended the bill be placed on the Consent Calendar.

The Division of the Budget fiscal note indicated passage of the bill would result in no fiscal effect.

Campaign finance; lobbyist; campaign reports; Kansas Governmental Ethics Commission; campaign disclosure requirements; death of candidate; use of campaign funds; contributor industry

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