

SENATE BILL No. 156

By Committee on Ethics, Elections and Local Government

2-8

1 AN ACT concerning campaign finance *and governmental ethics*; relating  
2 to contribution limits; increasing contribution limits to senators;  
3 *increasing gift allowances*; amending K.S.A. ~~2012 46-237~~ *and K.S.A.*  
4 *2013* Supp. 25-4153 and repealing the existing ~~section~~ *sections*.

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

7 Section 1. K.S.A. ~~2012~~ *2013* Supp. 25-4153 is hereby amended to  
8 read as follows: 25-4153. (a) The aggregate amount contributed to a  
9 candidate and such candidate's candidate committee and to all party  
10 committees and political committees and dedicated to such candidate's  
11 campaign, by any political committee or any person except a party  
12 committee, the candidate or the candidate's spouse, shall not exceed the  
13 following:

14 (1) For the pair of offices of governor and lieutenant governor or for  
15 other state officers elected from the state as a whole, ~~\$2,000~~ *\$3,000* for  
16 each primary election (or in lieu thereof a caucus or convention of a  
17 political party) and an equal amount for each general election.

18 (2) For the office of member of the house of representatives, district  
19 judge, district magistrate judge, district attorney or a candidate for local  
20 office, ~~\$500~~ *\$750* for each primary election (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,~~ ~~\$1,000,~~ ~~\$1,500~~ *\$2,000* for each primary election (or in lieu  
25 thereof a caucus or convention of a political party) and an equal amount  
26 for each general election.

27 (4) *For the office of member of the state board of education,* ~~\$1,000~~  
28 *\$1,500* for each primary election (or in lieu thereof a caucus or  
29 convention of a political party) and an equal amount for each general  
30 election.

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

1 allocable period.

2 (c) For the purposes of this section, all contributions made by  
3 unemancipated children under 18 years of age shall be considered to be  
4 contributions made by the parent or parents of such children. The total  
5 amount of such contribution shall be attributed to a single custodial parent  
6 and 50% of such contribution to each of two parents.

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

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

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

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

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

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

29 (1) For the pair of offices of governor and lieutenant governor and for  
30 each of the other state officers elected from the state as a whole, ~~\$2,000~~  
31 **\$3,000** for each primary election (or in lieu thereof a caucus or convention  
32 of a political party).

33 (2) For the office of member of the house of representatives, district  
34 judge, district magistrate judge, district attorney or a candidate for local  
35 office, ~~\$500~~ **\$750** for each primary election (or in lieu thereof a caucus or  
36 convention of a political party).

37 (3) For the office of state senator ~~or member of the state board of~~  
38 ~~education,~~ ~~\$1,000,~~ **\$2,000** for each primary election (or in lieu thereof a  
39 caucus or convention of a political party).

40 (4) ***For the office of member of the state board of education, \$1,500***  
41 ***for each primary election (or in lieu thereof a caucus or convention of a***  
42 ***political party).***

43 (h) When a candidate for a specific cycle does not run for office, the

1 contribution limitations of this section shall apply as though the individual  
2 had sought office.

3 (i) No person shall make any contribution or contributions to any  
4 candidate or the candidate committee of any candidate in the form of  
5 money or currency of the United States which in the aggregate exceeds  
6 \$100 for any one primary or general election, and no candidate or  
7 candidate committee of any candidate shall accept any contribution or  
8 contributions in the form of money or currency of the United States which  
9 in the aggregate exceeds \$100 from any one person for any one primary or  
10 general election.

11 *Sec. 2. K.S.A. 46-237 is hereby amended to read as follows: 46-237.*

12 *(a) Except as provided by this section, no state officer or employee,*  
13 *candidate for state office or state officer elect shall accept, or agree to*  
14 *accept any (1) economic opportunity, gift, loan, gratuity, special*  
15 *discount, favor, hospitality or service having an aggregate value of ~~\$40~~*  
16 *\$60 or more in any calendar year or (2) hospitality in the form of*  
17 *recreation having an aggregate value of ~~\$100~~ \$150 or more in any*  
18 *calendar year from any one person known to have a special interest,*  
19 *under circumstances where such person knows or should know that a*  
20 *major purpose of the donor is to influence such person in the*  
21 *performance of their official duties or prospective official duties.*

22 *(b) Except as provided by this section, no person with a special*  
23 *interest shall offer, pay, give or make any (1) economic opportunity, gift,*  
24 *loan, gratuity, special discount, favor, hospitality or service having an*  
25 *aggregate value of ~~\$40~~ \$60 or more in any calendar year or (2)*  
26 *hospitality in the form of recreation having an aggregate value of ~~\$100~~*  
27 *\$150 or more in any calendar year to any state officer or employee,*  
28 *candidate for state office or state officer elect with a major purpose of*  
29 *influencing such officer or employee, candidate for state office or state*  
30 *officer elect in the performance of official duties or prospective official*  
31 *duties.*

32 *(c) No person licensed, inspected or regulated by a state agency*  
33 *shall offer, pay, give or make any economic opportunity, gift, loan,*  
34 *gratuity, special discount, favor, hospitality or service having an*  
35 *aggregate value of ~~\$40~~ \$60 or more in any calendar year to such agency*  
36 *or any state officer or employee, candidate for state office or state officer*  
37 *elect of that agency.*

38 *(d) Hospitality in the form of food and beverages is presumed not to*  
39 *be given to influence a state officer or employee, candidate for state*  
40 *office or state officer elect in the performance of official duties or*  
41 *prospective official duties, except when a particular course of official*  
42 *action is to be followed as a condition thereon.*

43 *(e) Except when a particular course of official action is to be*

1 followed as a condition thereon, this section shall not apply to: (1) Any  
2 contribution reported in compliance with the campaign finance act; or  
3 (2) a commercially reasonable loan or other commercial transaction in  
4 the ordinary course of business.

5 (f) No state officer or employee shall accept any payment of  
6 honoraria for any speaking engagement except that a member of the  
7 state legislature or a part-time officer or employee of the executive  
8 branch of government shall be allowed to receive reimbursement in the  
9 preparation for and the making of a presentation at a speaking  
10 engagement in an amount fixed by the commission prior to the  
11 acceptance of the speaking engagement. Nothing in this section shall be  
12 construed to prohibit the reimbursement of state officers and employees  
13 for reasonable expenses incurred in attending seminars, conferences  
14 and other speaking engagements.

15 (g) The provisions of this section shall not be applicable to or  
16 prohibit the acceptance of gifts from governmental agencies of foreign  
17 nations except that any gift accepted from such foreign governmental  
18 agency, having an aggregate value of ~~\$100~~ \$150 or more, shall be  
19 accepted on behalf of the state of Kansas.

20 (h) No legislator shall solicit any contribution to be made to any  
21 organization for the purpose of paying for travel, subsistence and other  
22 expenses incurred by such legislator or other members of the legislature  
23 in attending and participating in meetings, programs and activities of  
24 such organization or those conducted or sponsored by such  
25 organization, but nothing in this act or the act of which this act is  
26 amendatory shall be construed to prohibit any legislator from accepting  
27 reimbursement for actual expenses for travel, subsistence, hospitality,  
28 entertainment and other expenses incurred in attending and  
29 participating in meetings, programs and activities sponsored by the  
30 government of any foreign nation, or any organization organized under  
31 the laws of such foreign nation or any international organization or any  
32 national, nonprofit, nonpartisan organization established for the  
33 purpose of serving, informing, educating and strengthening state  
34 legislatures in all states of the nation, when paid from funds of such  
35 organization and nothing shall be construed to limit or prohibit the  
36 expenditure of funds of and by any such organization for such purposes.

37 Sec. ~~2~~. 3. K.S.A. ~~2012 46-237~~ and K.S.A. 2013 Supp. 25-4153 ~~is~~ are  
38 hereby repealed.

39 Sec. ~~3~~. 4. This act shall take effect and be in force from and after its  
40 publication in the statute book.