

House Substitute for SENATE BILL No. 45

By Committee on Elections

3-6

1 AN ACT concerning campaign finance; lobbyists filings; amending K.S.A.
2 25-904, 25-4142, 25-4173, 25-4175, 46-237, 46-268 and 46-269 and
3 K.S.A. 2013 Supp. 25-4143, 25-4157a and 46-237a and repealing the
4 existing sections.
5

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

7 Section 1. K.S.A. 25-904 is hereby amended to read as follows: 25-
8 904. (a) Every candidate for election to any city of the second and third
9 class, unified school district, community college or township office subject
10 to this act who intends to expend or have expended on such person's behalf
11 an aggregate amount or value of less than ~~\$500~~ \$1,000, exclusive of such
12 candidate's filing fee, and who intends to receive or have received on such
13 person's behalf contributions in an aggregate amount or value of less than
14 ~~\$500~~ \$1,000 in each the primary and the general election shall file, not
15 later than the ninth day preceding the primary election, an affidavit of such
16 intent with the county election officer of the county of residence of the
17 candidate. No report required by subsection (b) shall be required to be
18 filed by or for such candidate.

19 (b) Except as provided in subsection (a), it shall be the duty of every
20 candidate for nomination or for election to any city of the second and third
21 class, unified school district, community college or township office subject
22 to this act, within 30 days after each primary, general or special election, to
23 file with the county election officer an itemized statement under oath
24 stating the name and address of each person who has made any
25 contribution in excess of \$50 during the election period together with the
26 amount and date of such contributions and an itemized statement of all
27 expenditures made by such candidate or obligations contracted or incurred
28 by such candidate in connection with each primary, general or special
29 election.

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

33 (d) Any candidate who has signed an affidavit pursuant to subsection
34 (a) and who incurs expenses in excess of or receives contributions in
35 excess of ~~\$500~~ \$1,000, exclusive of such candidate's filing fee for either
36 the primary or the general election, shall file the report required by

1 subsection (b).

2 Sec. 2. K.S.A. 25-4173 is hereby amended to read as follows: 25-
3 4173. Every candidate for state or local office who intends to expend or
4 have expended on such person's behalf an aggregate amount or value of
5 less than ~~\$500~~ \$1,000, exclusive of such candidate's filing fee, and who
6 intends to receive or have received on such person's behalf contributions in
7 an aggregate amount or value of less than ~~\$500~~ \$1,000 in each of the
8 primary and the general elections shall file, not later than the ninth day
9 preceding the primary election, an affidavit of such intent with the
10 secretary of state for state offices. In the case of a candidate for a local
11 office, such affidavit also shall be filed with the county election officer of
12 the county in which the name of the candidate is on the ballot. No report
13 required by K.S.A. 25-4148, and amendments thereto, shall be required to
14 be filed by or for such candidate.

15 Sec. 3. K.S.A. 46-268 is hereby amended to read as follows: 46-268.
16 (a) Except as otherwise provided in subsection (b), every lobbyist shall file
17 with the secretary of state a report of employment and expenditures on a
18 form and in the manner prescribed and provided by the commission. A
19 report shall be filed on or before the 10th day of the months of February,
20 March, April, May, September and January. Reports shall include all
21 expenditures which are required to be reported under K.S.A. 46-269, and
22 amendments thereto, or a statement that no expenditures in excess of \$100
23 were made for such purposes, during the preceding calendar month or
24 months since the period for which the last report was filed.

25 (b) For any calendar year in which a lobbyist expects to expend an
26 aggregate amount of less than \$100 for lobbying in each reporting period,
27 a lobbyist shall file an affidavit of such intent with the secretary of state.
28 Such lobbyist shall not be required to file the reports required under
29 subsection (a) for the year for which such affidavit is filed ~~but shall file a~~
30 ~~report on or before January 10, which shall include all expenditures made~~
31 ~~in the preceding calendar year which are required to be reported under~~
32 ~~K.S.A. 46-269, and amendments thereto.~~ If in any reporting period a
33 lobbyist filing such affidavit expends in excess of \$100 in reportable
34 expenses, a report shall be filed for such period in the manner prescribed
35 by subsection (a).

36 Sec. 4. K.S.A. 25-4175 is hereby amended to read as follows: 25-
37 4175. For any calendar year during which a party or political committee
38 intends to expend an aggregate amount or value of less than ~~\$500~~ \$1,000
39 and intends to receive contributions in an aggregate amount or value of
40 less than ~~\$500~~ \$1,000 and during which such party or political committee
41 intends to receive no contributions in excess of \$50 from any one
42 contributor, the treasurer of such party or political committee shall file an
43 affidavit of such intent with the secretary of state if such committee is a

1 party committee or a political committee which expressly advocates the
2 nomination, election or defeat of a clearly identified candidate for state
3 office and with the county election officer if the committee is a political
4 committee which expressly advocates the nomination, election or defeat of
5 a clearly identified candidate for local office. Such treasurer shall not be
6 required to file the reports required by K.S.A. 25-4148, and amendments
7 thereto, for the year for which such affidavit is filed. Such affidavit may be
8 filed at any time not later than the ninth day preceding the primary
9 election.

10 Sec. 5. K.S.A. 46-237 is hereby amended to read as follows: 46-237.

11 (a) Except as provided by this section, no state officer or employee,
12 candidate for state office or state officer elect shall accept, or agree to
13 accept any:

14 (1) Economic opportunity, gift, loan, gratuity, special discount, favor,
15 hospitality or service having an aggregate value of \$40 or more in any
16 calendar year; or

17 (2) hospitality in the form of recreation having an aggregate value of
18 \$100 or more in any calendar year from any one person known to have a
19 special interest, under circumstances where such person knows or should
20 know that a 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:

24 (1) Economic opportunity, gift, loan, gratuity, special discount, favor,
25 hospitality or service having an aggregate value of \$40 or more in any
26 calendar year. *Transportation provided in the state of Kansas by ground*
27 *conveyance shall not be considered a gift;* or

28 (2) hospitality in the form of recreation having an aggregate value of
29 \$100 or more in any calendar year to any state officer or employee,
30 candidate for state office or state officer elect with a major purpose of
31 influencing such officer or employee, candidate for state office or state
32 officer elect in the performance of official duties or prospective official
33 duties.

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

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

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

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

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

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

38 Sec. 6. K.S.A. 2013 Supp. 46-237a is hereby amended to read as
39 follows: 46-237a. (a) The provisions of this section shall apply to:

- 40 (1) The governor;
- 41 (2) the lieutenant governor;
- 42 (3) the governor's spouse;
- 43 (4) all officers and employees of the executive branch of state

1 government; and

2 (5) all members of boards, commissions and authorities of the
3 executive branch of state government.

4 (b) No person subject to the provisions of this section shall solicit or
5 accept any gift, economic opportunity, loan, gratuity, special discount or
6 service provided because of such person's official position, except:

7 (1) A gift having an aggregate value of less than \$40 given at a
8 ceremony or public function where the person is accepting the gift in such
9 person's official capacity; or

10 (2) gifts from relatives or gifts from personal friends when it is
11 obvious to the person that the gift is not being given because of the
12 person's official position; or

13 (3) anything of value received by the person on behalf of the state
14 that inures to the benefit of the state or that becomes the property of the
15 state; or

16 (4) contributions solicited on behalf of a nonprofit organization which
17 is exempt from taxation under paragraph (3) of subsection (c) of section
18 501 of the internal revenue code of 1986, as amended.

19 (c) No person subject to the provisions of this section shall solicit or
20 accept free or special discount meals from a source outside of state
21 government, except:

22 (1) Meals, the provision of which is motivated by a personal or
23 family relationship or provided at events that are widely attended. An
24 occasion is "widely attended" when it is obvious to the person accepting
25 the meal that the reason for providing the meal is not a pretext for
26 exclusive or nearly exclusive access to the person;

27 (2) meals provided at public events in which the person is attending
28 in an official capacity;

29 (3) meals provided to a person subject to this act when it is obvious
30 such meals are not being provided because of the person's official position;

31 (4) food such as soft drinks, coffee or snack foods not offered as part
32 of a meal;

33 (5) any meal the value of which is ~~\$25~~ \$50 or less;

34 (6) meals provided to a person when the person's presence at the
35 event or meeting at which the meal is provided serves a legitimate state
36 purpose or interest and the agency of which such person is an officer or
37 employee authorizes such person's attendance at such event or meeting;
38 and

39 (7) meals provided to the governor's spouse and members of the
40 governor's immediate family at the event or meeting at which the meal is
41 provided serve a legitimate state purpose or interest.

42 (d) No person subject to the provisions of this section shall solicit or
43 accept free or special discount travel or related expenses from a source

1 outside state government, except:

2 (1) When it is obvious to the person accepting the same that the free
3 or special discount travel and related expenses are not being provided
4 because of the person's official position; or

5 (2) when the person's presence at a meeting, seminar or event serves a
6 legitimate state purpose or interest and the person's agency authorizes or
7 would authorize payment for such travel and expenses.

8 (e) No person subject to the provisions of this section shall solicit or
9 accept free or special discount tickets or access to entertainment or
10 sporting events or activities such as plays, concerts, games, golf, exclusive
11 swimming, hunting or fishing or other recreational activities when the free
12 or special discount tickets or access are provided because of the person's
13 official position. The provisions of this subsection shall not apply to
14 persons whose official position requires or obliges them to be present at
15 such events or activities.

16 (f) (1) Violations of the provisions of this section by any classified
17 employee in the civil service of the state of Kansas shall be considered
18 personal conduct detrimental to the state service and shall be a basis for
19 suspension, demotion or dismissal, subject to applicable state law.

20 (2) Violations of the provisions of this section by any unclassified
21 employee shall subject such employee to discipline up to and including
22 termination.

23 (3) In addition to the penalty prescribed under paragraphs (1) and (2),
24 the commission may assess a civil fine, after proper notice and an
25 opportunity to be heard, against any person for a violation of this section,
26 in an amount not to exceed \$5,000 for the first violation, not to exceed
27 \$10,000 for the second violation and not to exceed \$15,000 for the third
28 violation and for each subsequent violation. All fines assessed and
29 collected under this section shall be remitted to the state treasurer in
30 accordance with the provisions of K.S.A. 75-4215, and amendments
31 thereto. Upon receipt of each such remittance, the state treasurer shall
32 deposit the entire amount in the state treasury to the credit of the
33 governmental ethics fee fund established by K.S.A. 25-4119e, and
34 amendments thereto.

35 Sec. 7. K.S.A. 46-269 is hereby amended to read as follows: 46-269.
36 Each report required to be filed by K.S.A. 46-268, and amendments
37 thereto, is a public record and shall be open to public inspection upon
38 request. Such report shall disclose the following:

39 (a) The full name and address of each person who has paid
40 compensation for lobbying to the lobbyist or has paid for expenses of
41 lobbying by the lobbyist during the period reported.

42 (b) The aggregate amount or value of all expenditures made, except
43 for expenses of general office overhead, by the lobbyist or by the lobbyist's

1 employer for or in direct relation to lobbying during the reporting period,
2 if such expenditures exceed \$100. Individual expenditures of less than ~~\$2~~
3 \$5 shall not be required to be reported under this subsection. Every
4 lobbyist shall keep detailed accounts of all expenditures required to be
5 reported pursuant to K.S.A. 46-268, and amendments thereto. Such
6 expenditures shall be reported according to the following categories of
7 expenditures:

- 8 (1) Food and beverages provided as hospitality;
- 9 (2) entertainment, gifts, honoraria or payments;
- 10 (3) mass media communications;
- 11 (4) recreation provided as hospitality;
- 12 (5) communications for the purpose of influencing legislative or
13 executive action; and
- 14 (6) all other reportable expenditures made in the performance of
15 services as a lobbyist.

16 With regard to expenditures for entertainment or hospitality which is
17 primarily recreation, food and beverages, only amounts expended on a
18 state officer or employee or on such officer or employee's spouse shall be
19 considered to be for or in direct relation to lobbying. Notwithstanding the
20 requirements of this subsection and subsection (d), no lobbyist shall be
21 responsible to report any expenditure by the lobbyist's employer of which
22 such person has no knowledge.

23 (c) (1) In addition to the information reported pursuant to subsection
24 (b), each lobbyist expending an aggregate amount of \$100 or more for
25 lobbying in any reporting period shall report any gift, entertainment or
26 hospitality provided to members of the legislature, members of the judicial
27 branch of government and any employees of the legislature or judicial
28 branch of government. Such report shall disclose the full name of the
29 legislator, member of the judicial branch and employee who received such
30 gift, entertainment or hospitality and the amount expended on such gift,
31 entertainment or hospitality.

32 (2) No report shall be required to be filed pursuant to this subsection
33 (c) for the following:

34 (A) Meals, the provision of which is motivated by a personal or
35 family relationship;

36 (B) meals provided at public events in which the person is attending
37 in an official capacity;

38 (C) meals provided to a person subject to this section when it is
39 obvious such meals are not being provided because of the person's official
40 position;

41 (D) food such as soft drinks, coffee or snack foods not offered as part
42 of a meal; and

43 (E) entertainment or hospitality in the form of recreation, food and

1 beverages provided at an event to which the following have been invited:

2 (i) All members of the legislature or all members of either house of
3 the legislature; or

4 (ii) all members of a political party caucus of the legislature or all
5 members of a political party caucus of either house of the legislature.

6 (d) Except as provided by subsection (c), whenever an individual
7 lobbyist contributes to a single special event, such lobbyist shall report
8 only the aggregate amount or value of the expenditure contributed by such
9 lobbyist.

10 (e) Whenever more than one lobbyist is employed by a single
11 employer, the reports required by this section relating to such employer
12 shall be made by only one such lobbyist and that lobbyist shall be the
13 lobbyist who is most directly connected with the particular expenditure or
14 gift, honoraria or payment. No expenditure or gift, honoraria or payment
15 required to be reported by this section shall be reported by more than one
16 lobbyist.

17 (f) All accounts, records and documents of the lobbyist which relate
18 to every expenditure reported or which should have been reported shall be
19 maintained and preserved by the lobbyist for a period of five years from
20 the date of the filing of such report or statement and may be inspected
21 under conditions determined by the commission.

22 Sec. 8. K.S.A. 25-4142 is hereby amended to read as follows: 25-
23 4142. K.S.A. 25-4119e, 25-4119f, 25-4119g, 25-4142 through 25-4187
24 and ~~K.S.A. 25-4153b~~ *section 11*, and amendments thereto, shall be known
25 and may be cited as the campaign finance act.

26 Sec. 9. K.S.A. 2013 Supp. 25-4143 is hereby amended to read as
27 follows: 25-4143. As used in the campaign finance act, unless the context
28 otherwise requires:

29 (a) "Candidate" means an individual who: (1) Appoints a treasurer or
30 a candidate committee;

31 (2) makes a public announcement of intention to seek nomination or
32 election to state or local office;

33 (3) makes any expenditure or accepts any contribution for such
34 person's nomination or election to any state or local office; or

35 (4) files a declaration or petition to become a candidate for state or
36 local office.

37 (b) "Candidate committee" means a committee appointed by a
38 candidate to receive contributions and make expenditures for the
39 candidate.

40 (c) "Clearly identified candidate" means a candidate who has been
41 identified by the:

42 (1) Use of the name of the candidate;

43 (2) use of a photograph or drawing of the candidate; or

1 (3) unambiguous reference to the candidate whether or not the name,
2 photograph or drawing of such candidate is used.

3 (d) "Commission" means the governmental ethics commission.

4 (e) (1) "Contribution" means:

5 (A) Any advance, conveyance, deposit, distribution, gift, loan or
6 payment of money or any other thing of value given to a candidate,
7 candidate committee, party committee or political committee for the
8 express purpose of nominating, electing or defeating a clearly identified
9 candidate for a state or local office-;

10 (B) any advance, conveyance, deposit, distribution, gift, loan or
11 payment of money or any other thing of value made to expressly advocate
12 the nomination, election or defeat of a clearly identified candidate for a
13 state or local office;

14 (C) a transfer of funds between any two or more candidate
15 committees, party committees or political committees;

16 (D) the payment, by any person other than a candidate, candidate
17 committee, party committee or political committee, of compensation to an
18 individual for the personal services rendered without charge to or for a
19 candidate's campaign or to or for any such committee;

20 (E) the purchase of tickets or admissions to, or advertisements in
21 journals or programs for, testimonial events; *and*

22 (F) a mailing of materials designed to expressly advocate the
23 nomination, election or defeat of a clearly identified candidate, which is
24 made and paid for by a party committee with the consent of such
25 candidate.

26 (2) "Contribution" does not include:

27 (A) The value of volunteer services provided without compensation;

28 (B) costs to a volunteer related to the rendering of volunteer services
29 not exceeding a fair market value of \$50 during an allocable election
30 period as provided in K.S.A. 25-4149, and amendments thereto;

31 (C) payment by a candidate or candidate's spouse for personal meals,
32 lodging and travel by personal automobile of the candidate or candidate's
33 spouse while campaigning;

34 (D) the value of goods donated to events such as testimonial events,
35 bake sales, garage sales and auctions by any person not exceeding a fair
36 market value of \$50 per event; *and*

37 (E) *the transfer of campaign funds to a bona fide successor*
38 *committee or candidacy in accordance with K.S.A. 25-4157a, and*
39 *amendments thereto.*

40 (f) "Election" means:

41 (1) A primary or general election for state or local office; and

42 (2) a convention or caucus of a political party held to nominate a
43 candidate for state or local office.

1 (g) (1) "Expenditure" means:

2 (A) Any purchase, payment, distribution, loan, advance, deposit or
3 gift of money or any other thing of value made by a candidate, candidate
4 committee, party committee or political committee for the express purpose
5 of nominating, electing or defeating a clearly identified candidate for a
6 state or local office;

7 (B) any purchase, payment, distribution, loan, advance, deposit or gift
8 of money or any other thing of value made to expressly advocate the
9 nomination, election or defeat of a clearly identified candidate for a state
10 or local office;

11 (C) any contract to make an expenditure;

12 (D) a transfer of funds between any two or more candidate
13 committees, party committees or political committees; or

14 (E) payment of a candidate's filing fees.

15 (2) "Expenditure" does not include:

16 (A) The value of volunteer services provided without compensation;

17 (B) costs to a volunteer incidental to the rendering of volunteer
18 services not exceeding a fair market value of \$50 during an allocable
19 election period as provided in K.S.A. 25-4149, and amendments thereto;

20 (C) payment by a candidate or candidate's spouse for personal meals,
21 lodging and travel by personal automobile of the candidate or candidate's
22 spouse while campaigning or payment of such costs by the treasurer of a
23 candidate or candidate committee;

24 (D) the value of goods donated to events such as testimonial events,
25 bake sales, garage sales and auctions by any person not exceeding fair
26 market value of \$50 per event; or

27 (E) any communication by an incumbent elected state or local officer
28 with one or more individuals unless the primary purpose thereof is to
29 expressly advocate the nomination, election or defeat of a clearly
30 identified candidate.

31 (h) "Expressly advocate the nomination, election or defeat of a clearly
32 identified candidate" means any communication which uses phrases
33 including, but not limited to:

34 (1) "Vote for the secretary of state";

35 (2) "re-elect your senator";

36 (3) "support the democratic nominee";

37 (4) "cast your ballot for the republican challenger for governor";

38 (5) "Smith for senate";

39 (6) "Bob Jones in '98";

40 (7) "vote against Old Hickory";

41 (8) "defeat" accompanied by a picture of one or more candidates; or

42 (9) "Smith's the one."

43 (i) "Party committee" means:

1 (1) The state committee of a political party regulated by article 3 of
2 chapter 25 of the Kansas Statutes Annotated, and amendments thereto;

3 (2) the county central committee or the state committee of a political
4 party regulated under article 38 of chapter 25 of the Kansas Statutes
5 Annotated, and amendments thereto;

6 (3) the bona fide national organization or committee of those political
7 parties regulated by the Kansas Statutes Annotated, *and amendments*
8 *thereto*;

9 (4) not more than one political committee established by the state
10 committee of any such political party and designated as a recognized
11 political committee for the senate;

12 (5) not more than one political committee established by the state
13 committee of any such political party and designated as a recognized
14 political committee for the house of representatives; or

15 (6) not more than one political committee per congressional district
16 established by the state committee of a political party regulated under
17 article 38 of chapter 25 of the Kansas Statutes Annotated, and amendments
18 thereto, and designated as a congressional district party committee.

19 (j) "Person" means any individual, committee, corporation,
20 partnership, trust, organization or association.

21 (k) (1) "Political committee" means any combination of two or more
22 individuals or any person other than an individual, a major purpose of
23 which is to expressly advocate the nomination, election or defeat of a
24 clearly identified candidate for state or local office or make contributions
25 to or expenditures for the nomination, election or defeat of a clearly
26 identified candidate for state or local office.

27 (2) "Political committee" shall not include a candidate committee or a
28 party committee.

29 (l) "Receipt" means a contribution or any other money or thing of
30 value, but not including volunteer services provided without
31 compensation, received by a treasurer in the treasurer's official capacity.

32 (m) "*Public office*" means a state or local office.

33 (n) "*Local office*" means:

34 (1) *A member of the governing body of a city of the first class;*

35 (2) *an elected office of:*

36 (A) *A unified school district having 35,000 or more pupils regularly*
37 *enrolled in the preceding school year;*

38 (B) *a county; or*

39 (C) *the board of public utilities.*

40 ~~(m)~~ (o) "State office" means any state office as defined in K.S.A. 25-
41 2505, and amendments thereto.

42 ~~(n)~~ (p) "Testimonial event" means an event held for the benefit of an
43 individual who is a candidate to raise contributions for such candidate's

1 campaign. Testimonial events include but are not limited to dinners,
2 luncheons, rallies, barbecues and picnics.

3 ~~(p)~~ (q) "Treasurer" means a treasurer of a candidate or of a candidate
4 committee, a party committee or a political committee appointed under the
5 campaign finance act or a treasurer of a combination of individuals or a
6 person other than an individual which is subject to paragraph (2) of
7 subsection (a) of K.S.A. 25-4172, and amendments thereto.

8 ~~(p)~~ "Local office" means a member of the governing body of a city of
9 the first class, any elected office of a unified school district having 35,000
10 or more pupils regularly enrolled in the preceding school year, a county or
11 of the board of public utilities.

12 Sec. 10. K.S.A. 2013 Supp. 25-4157a is hereby amended to read as
13 follows: 25-4157a. (a) No moneys received by any candidate or candidate
14 committee of any candidate as a contribution under this act shall be used
15 or be made available for the personal use of the candidate and no such
16 moneys shall be used by such candidate or the candidate committee of
17 such candidate except for:

- 18 (1) Legitimate campaign purposes;
- 19 (2) expenses of holding political office;
- 20 (3) contributions to the party committees of the political party of
21 which such candidate is a member;
- 22 (4) any membership dues related to the candidate's campaign paid to
23 a community service or civic organization in the name of the candidate;
- 24 (5) any donations paid to a community service or civic organization
25 in the name of the candidate or candidate committee of any candidate but
26 only if the candidate receives no goods or services unrelated to the
27 candidate's campaign as a result of the payment of such donations;
- 28 (6) expenses incurred in the purchase of tickets to meals and special
29 events sponsored by any organization the major purpose of which is to
30 promote or facilitate the social, business, commercial or economic well
31 being of the local community; or
- 32 (7) expenses incurred in the purchase and mailing of greeting cards to
33 voters and constituents.

34 For the purpose of this subsection, expenditures for "personal use" shall
35 include expenditures to defray normal living expenses for the candidate or
36 the candidate's family and expenditures for the personal benefit of the
37 candidate having no direct connection with or effect upon the campaign of
38 the candidate or the holding of public office.

39 (b) No moneys received by any candidate or candidate committee of
40 any candidate as a contribution shall be used to pay interest or any other
41 finance charges upon moneys loaned to the campaign by such candidate or
42 the spouse of such candidate.

43 (c) No candidate or candidate committee shall accept from any other

1 candidate or candidate committee for any candidate for local, state or
2 national office, any moneys received by such candidate or candidate
3 committee as a campaign contribution. The provisions of this subsection
4 shall not be construed to prohibit:

5 (1) A candidate or candidate committee from accepting moneys from
6 another candidate or candidate committee if such moneys constitute a
7 reimbursement for one candidate's proportional share of the cost of any
8 campaign activity participated in by both candidates involved. Such
9 reimbursement shall not exceed an amount equal to the proportional share
10 of the cost directly benefiting and attributable to the personal campaign of
11 the candidate making such reimbursement; *or*

12 (2) *a candidate or candidate committee from transferring campaign*
13 *funds to a bona fide successor committee or candidacy established by the*
14 *candidate for state office after all debts, liabilities and expenses are*
15 *satisfied.*

16 (d) At the time of the termination of any campaign and prior to the
17 filing of a termination report in accordance with K.S.A. 25-4157, and
18 amendments thereto, all residual funds *not* otherwise ~~not~~ obligated for the
19 payment of expenses incurred in such campaign or the holding of office
20 shall be:

21 (1) Contributed to a charitable organization, as defined by the laws of
22 the state;;

23 (2) contributed to a party committee ~~or~~;

24 (3) returned as a refund in whole or in part to any contributor or
25 contributors from whom received ~~or~~;

26 (4) paid into the general fund of the state;

27 (5) *transferred to a bona fide successor committee or candidacy*
28 *established by the candidate for state office; or*

29 (6) *transferred for the purpose of retiring the remaining debt to the*
30 *original committee or candidacy from which funds were transferred*
31 *pursuant to paragraph (2) of subsection (e).*

32 *Whenever a transfer to a bona fide successor committee or candidacy*
33 *is made pursuant to paragraph (5), all moneys shall be transferred to the*
34 *bona fide successor committee or candidacy after all debts, liabilities and*
35 *expenses are satisfied.*

36 (e) *For the purposes of this section, "bona fide successor committee*
37 *or candidacy" means:*

38 (1) *The candidate's campaign committee or candidacy for a state*
39 *office initiated at the termination of the original candidacy; or*

40 (2) *the candidate's campaign committee or candidacy initiated at the*
41 *time of the transfer of all moneys to a new campaign committee or*
42 *candidacy for state office after all debts, liabilities and expenses are*
43 *satisfied.*

1 New Sec. 11. (a) For the period commencing on January 1, 1976, and
2 ending on the day preceding the effective date of this act, any candidate
3 who transferred campaign funds to a bona fide successor candidacy, as
4 such term is defined in K.S.A. 25-4157a, and amendments thereto, shall be
5 deemed to have made such transfer in compliance with the provisions of
6 the campaign finance act in existence at the time of such transfer,
7 regardless of when the original campaign fund is closed after the date such
8 transfer is made and such transfer is hereby validated.

9 (b) This section shall be part of and supplemental to the campaign
10 finance act.

11 Sec. 12. K.S.A. 25-904, 25-4142, 25-4173, 25-4175, 46-237, 46-268
12 and 46-269 and K.S.A. 2013 Supp. 25-4143, 25-4157a and 46-237a are
13 hereby repealed.

14 Sec. 13. This act shall take effect and be in force from and after its
15 publication in the statute book.