



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Written Testimony before House Elections

House Bill 2223

by Carol Williams, Executive Director

February 6, 2017

This testimony is provided for informational purposes. The Governmental Ethics Commission does not take a position on HB 2223. House Bill 2223 amends the Campaign Finance Act by eliminating the current language in K.S.A. 25-4152 as it pertains to civil penalty assessments for the late filing of campaign finance reports and statements. Under current law, when a campaign finance report or statement is late, the Commission sends a certified failure to file notice to the candidate and his or her treasurer, as well as the treasurers for party committees and political action committees. The notice states the individual has 15 days from the date the notice is placed in the mail before a \$10 a day civil penalty is imposed for each day the report remains unfiled. The maximum civil penalty is \$300. Individuals are permitted to request a waiver of their civil penalty and for good cause, the Commission may waive such civil penalty.

During the 2016 election year, 143 candidates, party and political action committees were late in filing their receipts and expenditures reports. Civil penalties in the amount of \$5,310 were assessed for the late filing of these 2016 reports. The Commission waived \$600 in civil penalties. Civil penalties in the amount of \$3,670 were assessed in January 2017 for the late filing of the 2016 wrap-up report. The individuals assessed civil penalties in January have one month from the date of their notice to request a waiver of their civil penalty.

GOVERNMENTAL ETHICS COMMISSION 2016 FAILURE TO FILE NOTICES

	Number Required to File	Number of Affidavits	Number of Failure to File Notices Sent
STATE CANDIDATES			
Senate	104	3	15
State Representative	259	21	28
State Board of Education	8	1	0
District Judge	58	28	4
District Magistrate Judge	55	44	4
District Attorney	9	1	0
Retention Judge	63	63	0
COUNTY CANDIDATES FOR 2016	1107	821	34
TOTAL CANDIDATES	1663	982	85
PARTY COMMITTEES			
State Party Committees	4	0	0
Congressional District Committees	10	1	0
Recognized Party Committees	4	0	0
Democratic Co. Central Committees	62	16	9
Republican Co. Central Committees	101	43	24
Libertarian Co. Central Committee	1	0	0
TOTAL PARTY COMMITTEES	182	60	33
POLITICAL COMMITTEES			
General	212	25	22
Democratic Women's Clubs	11	2	3
Republican Women's Clubs	10	3	0
TOTAL POLITICAL COMMITTEES	233	30	25