

HOUSE BILL No. 2223

By Committee on Elections

1-31

Proposed amendments to HB 2223

February 6, 2017

Prepared by: Mike Heim

Office of Revisor of Statutes

1 AN ACT concerning campaign finance; dealing with late reports and civil
2 fines

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

5 ~~Section 1. (a) Any person required to make any report, amended~~
6 ~~report or statement by the campaign finance act that is more than 48 hours~~
7 ~~late shall be subject to a civil fine of \$500 per day. The fine may be paid~~
8 ~~from campaign contributions.~~

9 ~~(b) The provisions of this section shall be part of and supplemental to~~
10 ~~the campaign finance act.~~

11 **3** Sec. 2. This act shall take effect and be in force from and after its
12 publication in the statute book.

; amending K.S.A. 2016 Supp. 25-4152 and repealing
the existing section

Strike lines 5 through 10 and insert Attachment A

Section 1. K.S.A. 2016 Supp. 25-4152 is hereby amended to read as follows: 25-4152. (a) The commission shall send a notice by registered or certified mail to any person failing to file any report or statement required by K.S.A. 25-4144, 25-4145 or 25-4148, and amendments thereto, and to the candidate appointing any treasurer failing to file any such report, within the time period prescribed therefor. The notice shall state that the required report or statement has not been filed with either the office of secretary of state or county election officer or both. The person failing to file any report or statement, and the candidate appointing any such person, shall be responsible for the filing of such report or statement. The notice also shall state that such person shall ~~have 15 days from the date such notice is deposited in the mail to comply with the registration and reporting requirements before a civil penalty shall be imposed for each day that the required documents remain unfiled. If such person fails to comply within the prescribed period, such person shall pay to the state a civil penalty of \$10 per day for each day that such report or statement remains unfiled, except that no such civil penalty shall exceed \$300~~ be liable for a civil penalty of \$500 per day for each report that is more than 48 hours late. The commission may waive, for good cause, payment of any civil penalty imposed by this section.

(b) Civil penalties provided for by this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics commission fee fund.

(c) If a person fails to pay a civil penalty provided for by this section, it shall be the duty of the commission to bring an action to recover such civil penalty in the district court of the county in which such person resides.

Sec. 2. K.S.A. 2016 Supp. 25-4152 is hereby repealed.