

**HOUSE BILL No. 2011**

By Representative Esau

1-5

1 AN ACT concerning campaign finance; relating to campaign  
2 contributions; amending K.S.A. 25-4149 and K.S.A. 2016 Supp. 25-  
3 4153 and repealing the existing sections.

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

6 Section 1. K.S.A. 25-4149 is hereby amended to read as follows: 25-  
7 4149. (a) All contributions and other receipts received and expenditures  
8 made from and including the January 1 following one general election date  
9 until and including the next ensuing primary election date shall be  
10 allocated to the primary election on such date. All contributions and other  
11 receipts received and expenditures made from midnight on the date of a  
12 primary election through and including the December 31 following the  
13 date of the next ensuing general election shall be allocated to the general  
14 election on such date.

15 (b) For the purposes of allocating, pursuant to subsection (a),  
16 contributions to or expenditures by a candidate seeking nomination by  
17 convention or caucus or such candidate's candidate committee, the date of  
18 ~~such~~ the convention or caucus shall be considered the primary election  
19 date.

20 (c) *Nothing in this section shall prohibit any candidate from receiving*  
21 *contributions for the candidate's general election during the primary*  
22 *election period under subsection (a). If for any reason, a candidate does*  
23 *not run for a general election for which the candidate has received*  
24 *general election contributions during the primary election period, the*  
25 *candidate shall return such contributions to the contributors. Any*  
26 *contributions received for the general election during the primary election*  
27 *period may not be expended during the primary election period.*

28 Sec. 2. K.S.A. 2016 Supp. 25-4153 is hereby amended to read as  
29 follows: 25-4153. (a) The aggregate amount contributed to a candidate and  
30 ~~such~~ the candidate's candidate committee and to all party committees and  
31 political committees and dedicated to ~~such~~ the candidate's campaign, by  
32 any political committee or any person except a party committee, the  
33 candidate or the candidate's spouse, shall not exceed the following:

34 (1) For the pair of offices of governor and lieutenant governor or for  
35 other state officers elected from the state as a whole, ~~\$2,000~~ \$4,000 for  
36 each primary election (or in lieu thereof a caucus or convention of a

1 political party) and an equal amount for each general election.

2 (2) *Except as provided in subsection (a)(4), for the office of member*  
3 *of the house of representatives, district judge, district magistrate judge,*  
4 *district attorney or a candidate for local office, ~~-\$500~~ \$1,000 for each*  
5 *primary election (or in lieu thereof a caucus or convention of a political*  
6 *party) and an equal amount for each general election.*

7 (3) For the office of state senator or member of the state board of  
8 education, ~~-\$1,000~~ \$2,500 for each primary election (or in lieu thereof a  
9 caucus or convention of a political party) and an equal amount for each  
10 general election.

11 (4) *For the office of any county officer whose district population*  
12 *exceeds 75,000, \$2,500 for each primary election (or in lieu thereof a*  
13 *caucus or convention of a political party) and an equal amount for each*  
14 *general election.*

15 (b) For the purposes of this section, the face value of a loan at the end  
16 of the period of time allocable to the primary or general election is the  
17 amount subject to the limitations of this section. A loan in excess of the  
18 limits herein provided may be made during the allocable period if ~~such~~ *the*  
19 loan is reduced to the permissible level, when combined with all other  
20 contributions from the person making ~~such~~ *the* loan, at the end of ~~such~~ *the*  
21 allocable period.

22 (c) For the purposes of this section, all contributions made by  
23 unemancipated children under 18 years of age shall be considered to be  
24 contributions made by the parent or parents of ~~such~~ *the* children. The total  
25 amount of ~~such~~ *the* contribution shall be attributed to a single custodial  
26 parent and 50% of such contribution to each of two parents.

27 (d) The aggregate amount contributed to a state party committee by a  
28 person other than a national party committee or a political committee shall  
29 not exceed ~~-\$15,000~~ \$30,000 in each calendar year; and the aggregate  
30 amount contributed to any other party committee by a person other than a  
31 national party committee or a political committee shall not exceed ~~-\$5,000~~  
32 \$10,000 in each calendar year.

33 The aggregate amount contributed by a national party committee to a  
34 state party committee shall not exceed ~~-\$25,000~~ \$50,000 in any calendar  
35 year, and the aggregate amount contributed to any other party committee  
36 by a national party committee shall not exceed ~~-\$10,000~~ \$20,000 in any  
37 calendar year.

38 The aggregate amount contributed to a party committee by a political  
39 committee shall not exceed ~~-\$5,000~~ \$10,000 in any calendar year.

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

43 (f) Any political funds which have been collected and were subject to

1 the reporting requirements of the campaign finance act shall not be used in  
2 or for the campaign of a candidate for a federal elective office.

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

7 (1) For the pair of offices of governor and lieutenant governor and for  
8 each of the other state officers elected from the state as a whole, ~~\$2,000~~  
9 \$4,000 for each primary election (or in lieu thereof a caucus or convention  
10 of a political party).

11 (2) *Except as provided in subsection (g)(4)*, for the office of member  
12 of the house of representatives, district judge, district magistrate judge,  
13 district attorney or a candidate for local office, ~~\$500~~ \$1,000 for each  
14 primary election (or in lieu thereof a caucus or convention of a political  
15 party).

16 (3) For the office of state senator or member of the state board of  
17 education, ~~\$1,000~~ \$2,500 for each primary election (or in lieu thereof a  
18 caucus or convention of a political party).

19 (4) *For the office of any county officer whose district population*  
20 *exceeds 75,000, \$2,500 for each primary election (or in lieu thereof a*  
21 *caucus or convention of a political party) and an equal amount for each*  
22 *general election.*

23 (h) When a candidate for a specific cycle does not run for office, the  
24 contribution limitations of this section shall apply as though the individual  
25 had sought office.

26 (i) No person shall make any contribution or contributions to any  
27 candidate or the candidate committee of any candidate in the form of  
28 money or currency of the United States which in the aggregate exceeds  
29 \$100 for any one primary or general election, and no candidate or  
30 candidate committee of any candidate shall accept any contribution or  
31 contributions in the form of money or currency of the United States which  
32 in the aggregate exceeds \$100 from any one person for any one primary or  
33 general election.

34 Sec. 3. K.S.A. 25-4149 and K.S.A. 2016 Supp. 25-4153 are hereby  
35 repealed.

36 Sec. 4. This act shall take effect and be in force from and after its  
37 publication in the statute book.