

As Amended by House Committee

Session of 2022

HOUSE BILL No. 2579

By Committee on Elections

2-1

1 AN ACT concerning campaign finance; requiring electronic filing of  
2 reports for state offices; amending K.S.A. 25-4148 and repealing the  
3 existing section.  
4

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

6 Section 1. K.S.A. 25-4148 is hereby amended to read as follows: 25-  
7 4148. (a) Every treasurer shall file a report prescribed by this section.  
8 ~~Reports filed by treasurers for candidates for state office, other than~~  
9 ~~officers elected on a state-wide basis, shall be filed in both with the office~~  
10 ~~of the secretary of state. Reports filed by treasurers for candidates for~~  
11 ~~state-wide state office shall be filed electronically and only with the~~  
12 secretary of state **in a form prescribed by the secretary of state.** *Any*  
13 *candidate for state office may request an exemption from the electronic*  
14 *filing requirement, and the governmental ethics commission executive*  
15 *director may grant an exemption for cause.* Reports filed by treasurers for  
16 candidates for local office shall be filed in the office of the county election  
17 officer of the county in which the name of the candidate is on the ballot.  
18 Except as otherwise provided by subsection (h), all such reports shall be  
19 filed in time to be received in the offices required on or before each of the  
20 following days:

21 (1) The eighth day preceding the primary election, which report shall  
22 be for the period beginning on January 1 of the election year for the office  
23 the candidate is seeking and ending 12 days before the primary election,  
24 inclusive;

25 (2) the eighth day preceding a general election, which report shall be  
26 for the period beginning 11 days before the primary election and ending 12  
27 days before the general election, inclusive;

28 (3) January 10 of the year after an election year, which report shall be  
29 for the period beginning 11 days before the general election and ending on  
30 December 31, inclusive; *or*

31 (4) for any calendar year when no election is held, a report shall be  
32 filed on the next January 10 for the preceding calendar year.

33 ~~(5) A treasurer shall file only the annual report required by subsection~~  
34 *paragraph* (4) for those years when the candidate is not participating in a  
35 primary or general election.

36 (b) Each report required by this section shall state:

- 1 (1) Cash on hand on the first day of the reporting period;
- 2 (2) the name and address of each person who has made one or more  
3 contributions in an aggregate amount or value in excess of \$50 during the  
4 election period together with the amount and date of such contributions,  
5 including the name and address of every lender, guarantor and endorser  
6 when a contribution is in the form of an advance or loan;
- 7 (3) the aggregate amount of all proceeds from bona fide sales of  
8 political materials such as, but not limited to, political campaign pins,  
9 buttons, badges, flags, emblems, hats, banners and literature;
- 10 (4) the aggregate amount of contributions for which the name and  
11 address of the contributor is not known;
- 12 (5) each contribution, rebate, refund or other receipt not otherwise  
13 listed;
- 14 (6) the total of all receipts;
- 15 (7) the name and address of each person to whom expenditures have  
16 been made in an aggregate amount or value in excess of \$50, with the  
17 amount, date, and purpose of each; the names and addresses of all persons  
18 to whom any loan or advance has been made; when an expenditure is  
19 made by payment to an advertising agency, public relations firm or  
20 political consultants for disbursement to vendors, the report of such  
21 expenditure shall show in detail the name of each such vendor and the  
22 amount, date and purpose of the payments to each;
- 23 (8) the name and address of each person from whom an in-kind  
24 contribution was received or who has paid for personal services provided  
25 without charge to or for any candidate, candidate committee, party  
26 committee or political committee, if the contribution is in excess of \$100  
27 and is not otherwise reported under subsection (b)(7), and the amount, date  
28 and purpose of the contribution;
- 29 (9) the aggregate of all expenditures not otherwise reported under this  
30 section; and
- 31 (10) the total of expenditures.
- 32 (c) In addition to the requirements of subsection (b), every treasurer  
33 for any political committee and party committee shall report the following:
  - 34 (1) (A) The name and address of each candidate for state or local  
35 office for whom an expenditure in the form of an in-kind contribution has  
36 been made in an aggregate amount or having a fair market value in excess  
37 of \$300, with the amount, date and purpose of each. The report shall show  
38 in detail the specific service or product provided; and
  - 39 (B) the name and address of each candidate for state or local office  
40 who is the subject of an expenditure ~~which~~ that:
    - 41 (i) Is made without the cooperation or consent of a candidate or  
42 candidate committee;
    - 43 (ii) expressly advocates the nomination, election or defeat of such

1 candidate; and

2 (iii) is an aggregate amount or having a fair market value in excess of  
3 \$300.

4 (2) The report shall state the amount, date and purpose of the  
5 expenditure in the form of an in-kind contribution. The report shall show  
6 in detail the specific service or product provided. The reporting  
7 requirements imposed by this subsection shall be in addition to all other  
8 requirements required by this section.

9 (d) Treasurers of candidates and of candidate committees shall  
10 itemize the purchase of tickets or admissions to testimonial events by a  
11 person who purchases such tickets or admissions in an aggregate amount  
12 or value in excess of \$50 per event, or who purchases such a ticket or  
13 admission at a cost exceeding \$25 per ticket or admission. All other  
14 purchases of tickets or admissions to testimonial events shall be reported  
15 in an aggregate amount and shall not be subject to the limitations specified  
16 in K.S.A. 25-4154, and amendments thereto.

17 (e) If a contribution or other receipt from a political committee is  
18 required to be reported under subsection (b), the report shall include the  
19 full name of the organization with which the political committee is  
20 connected or affiliated or, a description of the connection to or affiliation  
21 with such organization. If, the committee is not connected or affiliated  
22 with any one organization, the report shall state the trade, profession or  
23 primary interest of the political committee as reflected by the statement of  
24 purpose of such organization.

25 (f) The commission may require any treasurer to file an amended  
26 report for any period for which the original report filed by such treasurer  
27 contains material errors or omissions. The notice of the errors or omissions  
28 shall be part of the public record. The amended report shall be filed within  
29 30 days after notice by the commission.

30 (g) The commission may require any treasurer to file a report for any  
31 period for which the required report is not on file. The notice of the failure  
32 to file shall be part of the public record. Such report shall be filed within  
33 five days after notice by the commission.

34 (h) For the purpose of any report required to be filed pursuant to  
35 subsection (a) by the treasurer of any candidate seeking nomination by  
36 convention or caucus or by the treasurer of the candidate's committee or by  
37 the treasurer of any party committee or political committee, the date of the  
38 convention or caucus shall be considered the date of the primary election.

39 (i) If a report is sent by certified or registered mail on or before the  
40 day it is due, the mailing shall constitute receipt by that office.

41 (j) Any report required by this section may be signed by the candidate  
42 in lieu of the candidate's treasurer or the treasurer of the candidate's  
43 committee.

1       Sec. 2.   K.S.A. 25-4148 is hereby repealed.

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