

**HOUSE BILL No. 2312**

By Committee on Elections

2-7

Proposed Amendments to  
House Bill No. 2312  
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Office of Revisor of Statutes

1 AN ACT concerning elections; relating to the campaign finance act;  
2 exempting certain political party committee treasurers from liability for  
3 certain violations of the act; amending K.S.A. 25-4148, 25-4148c and  
4 25-4181 and repealing the existing sections.  
5

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

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

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

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

25 (3) January 10 of the year after an election year, which report shall be  
26 for the period beginning 11 days before the general election and ending on  
27 December 31, inclusive;

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

30 (5) a treasurer shall file only the annual report required by subsection  
31 (4) for those years when the candidate is not participating in a primary or  
32 general election.

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

34 (1) Cash on hand on the first day of the reporting period;

35 (2) the name and address of each person who has made one or more  
36 contributions in an aggregate amount or value in excess of \$50 during the

1 to the campaign finance act.

2 Sec. 3. K.S.A. 25-4181 is hereby amended to read as follows: 25-  
3 4181. (a) (1) Except as otherwise provided, the commission, in addition to  
4 any other penalty prescribed under the campaign finance act, may assess a  
5 civil fine, after proper notice and an opportunity to be heard, against any  
6 person for a violation of the campaign finance act in an amount not to  
7 exceed \$5,000 for the first violation, \$10,000 for the second violation and  
8 \$15,000 for the third violation and for each subsequent violation.  
9 Whenever any civil fine or penalty is proposed to be assessed against the  
10 treasurer of any candidate who is not also the candidate, such notice shall  
11 be given to both the treasurer and the candidate prior to the assessment of  
12 such fine or penalty.

13 (2) For any violation of the campaign finance act committed by the  
14 treasurer of a party committee who provides treasurer services to the party  
15 committee on a voluntary basis, the commission may assess a civil fine,  
16 after proper notice and an opportunity to be heard, in an amount not to  
17 exceed \$1,000.

18 (3) All fines assessed and collected under this section shall be  
19 remitted to the state treasurer in accordance with the provisions of K.S.A.  
20 75-4215, and amendments thereto. Upon receipt of each such remittance,  
21 the state treasurer shall deposit the entire amount in the state treasury to  
22 the credit of the governmental ethics commission fee fund.

23 (b) No individual who has failed to pay any civil penalty or civil fine  
24 assessed, or failed to file any report required to be filed under the  
25 campaign finance act, unless such penalty or fine has been waived or is  
26 under appeal, shall be eligible to become a candidate for state office or  
27 local office until such penalty or fine has been paid or such report has been  
28 filed or both such penalty or fine has been paid and such report filed.

29 (c) (1) No treasurer of any party committee shall be held individually  
30 liable for violations of the campaign finance act committed by the party  
31 committee of which the treasurer is an officer. All civil fines assessed for  
32 such violations shall be assessed against the party committee that  
33 committed the violation.

34 (2) Nothing in this subsection shall be construed to exempt a  
35 treasurer of any party committee from individual liability for any unlawful  
36 conduct that is intentionally committed by such treasurer.

37 (3) The provisions of this subsection shall not apply to a treasurer of  
38 a party committee who is employed by the party committee in such  
39 capacity and who has filed a surety bond.

40 Sec. 4. K.S.A. 25-4148, 25-4148c and 25-4181 are hereby repealed.

41 Sec. 5. This act shall take effect and be in force from and after its  
42 publication in the statute book.

each violation if the person has not previously been found to have  
violated the campaign finance act, \$10,000 for each violation if the  
person has previously been found to have violated such act and  
\$15,000 for each violation if the person has been found to have  
violated such act on two or more occasions