

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2171

As Recommended by House Committee on
Elections

Brief*

HB 2171 would amend the definition of “corrupt political advertising” in the Campaign Finance Act requirements regarding “paid for” or “sponsored by” attributions (attributions) of the political or other organization, or the individual, who is responsible for the communication of express advocacy for the nomination, election, or defeat of a clearly identified candidate for state or local office.

The bill would require only the name of the chairperson of a political or other organization to be included in an attribution published in a newspaper or other periodical; broadcast by any radio or television station; communicated *via* telephone; published in any brochure, flier, or other political fact sheet; or transmitted through electronic communications or social media, and would remove the option of including the name of the treasurer of such political or other organization in place of the name of the chairperson.

The bill would also replace the requirement that an attribution online must immediately follow the express advocacy statement in electronic communications or on social media with a requirement that the attribution be clear and obvious.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the House Committee on Elections at the request Representative B. Carpenter, on behalf of the Kansas Governmental Ethics Commission (KGEC).

During the House Committee hearing, the Executive Director of the KGEC provided proponent testimony stating the current attribution requirements for electronic communications and social media could be problematic or impossible for certain online platforms and the bill would help ensure attributions in electronic communications and on social media would not be difficult to read or easily overlooked.

No neutral or opponent testimony was provided.

According to the fiscal note prepared by the Division of the Budget, the KGEC and the Office of the Secretary of State indicated enactment of the bill would have no fiscal effect.