As Amended by Senate Committee

Session of 2011

SENATE BILL No. 126

By Committee on Ethics and Elections

2-7

AN ACT concerning elections and campaign finance; relating to public
service advertisements by candidates.

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

Section 1. (a) No candidate for elected office shall either appear
in a public service announcement or advertisement or allow the
candidate's name to be used in a public service announcement or
advertisement during the 60 days before any election in which the
candidate's name appears on the ballot.

(b)(1) "Public service announcement or advertisement" means any
message paid for with public sector funds or private sector funds
from the current contractor of the sponsoring government entity and
broadcast or distributed by electronic, telephonic or print media
promoting or announcing some issue of public importance, public
concern or public welfare regardless of whether or not the
advertisement or announcement involves the donation of time or space
on behalf of the media or is paid for with public or private sector funds.

(2) "Public service announcement or advertisement" shall not
include any news stories or articles, editorial endorsements, opinion
or commentary writings, or letters to the editor printed in a
newspaper, magazine or other periodical or broadcast media not
owned or controlled by the candidate.

(c) "Electronic media" shall not include the website for the
government agency or other entity that administers the program
promoted by the public service announcement or advertisement.

(d) "Print media" means direct mail literature and advertisements
in any newspaper, magazine or any other periodical publication, but it
shall not include printed literature promoting a program so long as it is
used regularly throughout the year in the regular course of business and
it is not distributed in an unsolicited direct mail advertising campaign at
a cost exceeding $2,000 during the 60 days before any election in
which the candidate's name appears on the ballot.

(e) Any person who intentionally violates this section shall be
subject to the civil penalties provided by K.S.A. 25-4181, and amendments thereto.

(f) This act shall be part of and supplemental to the campaign finance act.

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