

HOUSE BILL No. 2053

By Committee on Elections

1-13

1 AN ACT concerning campaign finance; requiring electronic filing of
2 reports for state offices; amending K.S.A. 2020 Supp. 25-4148 and
3 repealing the existing section.
4

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

6 Section 1. K.S.A. 2020 Supp. 25-4148 is hereby amended to read as
7 follows: 25-4148. (a) Every treasurer shall file a report prescribed by this
8 section. ~~Reports filed by treasurers for candidates for state office, other~~
9 ~~than officers elected on a state-wide basis, shall be filed in both with the~~
10 ~~office of the secretary of state. Reports filed by treasurers for candidates~~
11 ~~for state-wide state office shall be filed electronically and only with the~~
12 secretary of state. *Any candidate for state office may request an exemption*
13 *from the electronic filing requirement, and the governmental ethics*
14 *commission executive director may grant an exemption for cause.* Reports
15 filed by treasurers for candidates for local office shall be filed in the office
16 of the county election officer of the county in which the name of the
17 candidate is on the ballot. Except as otherwise provided by subsection (h),
18 all such reports shall be filed in time to be received in the offices required
19 on or before each of the following days:

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

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

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

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

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

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

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

1 (2) the name and address of each person who has made one or more
2 contributions in an aggregate amount or value in excess of \$50 during the
3 election period together with the amount and date of such contributions,
4 including the name and address of every lender, guarantor and endorser
5 when a contribution is in the form of an advance or loan;

6 (3) the aggregate amount of all proceeds from bona fide sales of
7 political materials such as, but not limited to, political campaign pins,
8 buttons, badges, flags, emblems, hats, banners and literature;

9 (4) the aggregate amount of contributions for which the name and
10 address of the contributor is not known;

11 (5) each contribution, rebate, refund or other receipt not otherwise
12 listed;

13 (6) the total of all receipts;

14 (7) the name and address of each person to whom expenditures have
15 been made in an aggregate amount or value in excess of \$50, with the
16 amount, date, and purpose of each; the names and addresses of all persons
17 to whom any loan or advance has been made; when an expenditure is
18 made by payment to an advertising agency, public relations firm or
19 political consultants for disbursement to vendors, the report of such
20 expenditure shall show in detail the name of each such vendor and the
21 amount, date and purpose of the payments to each;

22 (8) the name and address of each person from whom an in-kind
23 contribution was received or who has paid for personal services provided
24 without charge to or for any candidate, candidate committee, party
25 committee or political committee, if the contribution is in excess of \$100
26 and is not otherwise reported under subsection (b)(7), and the amount, date
27 and purpose of the contribution;

28 (9) the aggregate of all expenditures not otherwise reported under this
29 section; and

30 (10) the total of expenditures.

31 (c) In addition to the requirements of subsection (b), every treasurer
32 for any political committee and party committee shall report the following:

33 (1) (A) The name and address of each candidate for state or local
34 office for whom an expenditure in the form of an in-kind contribution has
35 been made in an aggregate amount or having a fair market value in excess
36 of \$300, with the amount, date and purpose of each. The report shall show
37 in detail the specific service or product provided; and

38 (B) the name and address of each candidate for state or local office
39 who is the subject of an expenditure ~~which~~ that:

40 (i) Is made without the cooperation or consent of a candidate or
41 candidate committee;

42 (ii) expressly advocates the nomination, election or defeat of such
43 candidate; and

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

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

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

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

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

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

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

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

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

43 Sec. 2. K.S.A. 2020 Supp. 25-4148 is hereby repealed.

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