

SENATE BILL No. 367

By Committee on Federal and State Affairs

1-18

1 AN ACT concerning elections; relating to the transparency in revenues
2 underwriting elections act; prohibiting the use of funds provided by the
3 United States government for the conduct of elections or election-
4 related activities unless approved by the legislature; amending K.S.A.
5 25-2436 and repealing the existing section.
6

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

8 ~~*New Section 1. (a) No federal agency shall be designated as a voter*~~
9 ~~*registration agency pursuant to section 7 of the national voter*~~
10 ~~*registration act of 1993, 52 U.S.C. § 20506, except as provided by state*~~
11 ~~*law.*~~

12 ~~*(b) Any designation of a federal agency as a voter registration*~~
13 ~~*agency pursuant to section 7 of the national voter registration act of*~~
14 ~~*1993, 52 U.S.C. § 20506, that was made prior to July 1, 2024, is null and*~~
15 ~~*void.*~~

16 ~~*(c) For purposes of this section, "federal agency" means any*~~
17 ~~*branch, department, bureau, office or instrumentality of the federal*~~
18 ~~*government.*~~

19 Section 1. ~~Sec. 2.~~ ~~{Section 1.}~~ K.S.A. 25-2436 is hereby amended to
20 read as follows: 25-2436. (a) The provisions of this section shall be known
21 and may be cited as the transparency in revenues underwriting elections
22 act.

23 (b) As used in this section:

24 (1) "Election official" means any county election officer or the chief
25 state election official, as such terms are defined in K.S.A. 25-2504, and
26 amendments thereto, and any officer or employee of such election official.

27 (2) "Federal government" means any branch, agency, department,
28 office, bureau or instrumentality of the government of the United States.

29 (3) ~~*"Governmental agency" means the state or any agency or*~~
30 ~~*political subdivision or instrumentality thereof.*~~

31 (4) ~~*"Person" means any individual, corporation, partnership,*~~
32 ~~*company, organization, political party, political committee or any other*~~
33 ~~*private entity.*~~

34 (c) ~~*{(1)}*~~ No election official shall knowingly accept or expend any

1 moneys, directly or indirectly, from any person ~~or the federal government,~~
2 except as provided in any acts of appropriation or as otherwise provided
3 by state law, for any expenditures related to conducting, funding or
4 otherwise facilitating the administration of an election pursuant to law ~~or~~
5 ~~for any election-related activities, including, but not limited to, voter~~
6 ~~registration and voter assistance.~~

7 ***{(2) No governmental agency, including, but not limited to, any***
8 ***election official, shall knowingly accept or expend any moneys, directly***
9 ***or indirectly, from the federal government, except as provided in any***
10 ***acts of appropriation or as otherwise provided by state law, for any***
11 ***expenditures related to conducting, funding or otherwise facilitating the***
12 ***administration of an election pursuant to law or for any election-related***
13 ***activities, including, but not limited to, voter registration and voter***
14 ***assistance. }Provided that such expenditures are authorized by acts of***
15 ***appropriation or state law, any moneys received from the federal***
16 ***government shall only be expended for those purposes authorized by an***
17 ***act of congress appropriating such moneys.***

18 (d) The provisions of this section shall not apply to:

19 (1) Any moneys collected by an election official from the payment of
20 fees or assessed costs as required by law; or

21 (2) any moneys received as campaign contributions for any candidate
22 for the office of county clerk.

23 (e) A violation of this section is a severity level 9, nonperson felony.

24 ~~Sec. 2-3. {2.}~~ K.S.A. 25-2436 is hereby repealed.

25 ~~Sec. 3-4. {3.}~~ This act shall take effect and be in force from and after
26 its publication in the statute book.