

HOUSE BILL No. 2579

By Committee on Elections

2-1

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

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 25-4148 is hereby amended to read as follows: 25-
7 4148. (a) Every treasurer shall file a report prescribed by this section.
8 ~~Reports filed by treasurers for candidates for state office, other than~~
9 ~~officers elected on a state-wide basis, shall be filed in both with the office~~
10 ~~of the secretary of state. Reports filed by treasurers for candidates for~~
11 ~~state-wide state office shall be filed electronically and only with the office~~
12 ***of the secretary of state in a form prescribed by the secretary of state.***
13 ***Reports for candidates for statewide office shall be filed electronically.***
14 ***Reports for candidates for state office other than candidates elected on a***
15 ***statewide basis that are due on or after December 31, 2023, shall be filed***
16 ***electronically. Any candidate for state office may request an exemption***
17 ***from the electronic filing requirement, and the governmental ethics***
18 ***commission executive director may grant an exemption for cause.*** Reports
19 filed by treasurers for candidates for local office shall be filed in the office
20 of the county election officer of the county in which the name of the
21 candidate is on the ballot. Except as otherwise provided by subsection (h),
22 all such reports shall be filed in time to be received in the offices required
23 on or before each of the following days:

24 (1) The ~~eighth~~ ***8th*** day preceding the primary election, which report
25 shall be for the period beginning on January 1 of the election year for the
26 office the candidate is seeking and ending 12 days before the primary
27 election, inclusive;

28 (2) the ~~eighth~~ ***8th*** day preceding a general election, which report shall
29 be for the period beginning 11 days before the primary election and ending
30 12 days before the general election, inclusive;

31 (3) ***the Tuesday following the second Monday in January*** ~~10~~ of the
32 year after an election year, which report shall be for the period beginning
33 11 days before the general election and ending on December 31, inclusive;

34 *or*

1 (4) for any calendar year when no election is held, a report shall be
2 filed on the next ***Tuesday following the second Monday in January***~~10~~ for
3 the preceding calendar year;

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

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

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

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

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

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

19 (5) each contribution, rebate, refund or other receipt not otherwise
20 listed;

21 (6) the total of all receipts;

22 (7) the name and address of each person to whom expenditures have
23 been made in an aggregate amount or value in excess of \$50, with the
24 amount, date, and purpose of each; the names and addresses of all persons
25 to whom any loan or advance has been made; when an expenditure is
26 made by payment to an advertising agency, public relations firm or
27 political consultants for disbursement to vendors, the report of such
28 expenditure shall show in detail the name of each such vendor and the
29 amount, date and purpose of the payments to each;

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

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

38 (10) the total of expenditures.

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

41 (1) (A) The name and address of each candidate for state or local
42 office for whom an expenditure in the form of an in-kind contribution has
43 been made in an aggregate amount or having a fair market value in excess

1 of \$300, with the amount, date and purpose of each. The report shall show
2 in detail the specific service or product provided; and

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

5 (i) Is made without the cooperation or consent of a candidate or
6 candidate committee;

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

9 (iii) is an aggregate amount or having a fair market value in excess of
10 \$300.

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

16 (d) Treasurers of candidates and of candidate committees shall
17 itemize the purchase of tickets or admissions to testimonial events by a
18 person who purchases such tickets or admissions in an aggregate amount
19 or value in excess of \$50 per event, or who purchases such a ticket or
20 admission at a cost exceeding \$25 per ticket or admission. All other
21 purchases of tickets or admissions to testimonial events shall be reported
22 in an aggregate amount and shall not be subject to the limitations specified
23 in K.S.A. 25-4154, and amendments thereto.

24 (e) If a contribution or other receipt from a political committee is
25 required to be reported under subsection (b), the report shall include the
26 full name of the organization with which the political committee is
27 connected or affiliated or, a description of the connection to or affiliation
28 with such organization. If, the committee is not connected or affiliated
29 with any one organization, the report shall state the trade, profession or
30 primary interest of the political committee as reflected by the statement of
31 purpose of such organization.

32 (f) The commission may require any treasurer to file an amended
33 report for any period for which the original report filed by such treasurer
34 contains material errors or omissions. The notice of the errors or omissions
35 shall be part of the public record. The amended report shall be filed within
36 30 days after notice by the commission.

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

41 (h) For the purpose of any report required to be filed pursuant to
42 subsection (a) by the treasurer of any candidate seeking nomination by
43 convention or caucus or by the treasurer of the candidate's committee or by

1 the treasurer of any party committee or political committee, the date of the
2 convention or caucus shall be considered the date of the primary election.

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

5 (j) Any report required by this section may be signed by the candidate
6 in lieu of the candidate's treasurer or the treasurer of the candidate's
7 committee.

8 Sec. 2. K.S.A. 25-4148 is hereby repealed.

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