

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2118

As Recommended by House Committee on
Elections

Brief*

HB 2118 would amend law governing activities that would constitute corrupt political advertising of a state or local office.

Specifically, the bill would remove the requirement that the name of the treasurer of the organization sponsoring paid advertisements expressly advocating for the nomination, election, or defeat of an identified candidate for a local or state election be included in such advertisements that are:

- Published in a newspaper or other periodical;
- Broadcast by any radio or television station;
- Sent by telephone, including by any device using a voice over internet protocol or wireless telephone;
- Published in any brochure, flier, or other political fact sheet;
- Made on any website, email, or other type of Internet communication made by the candidate, candidate's candidate committee, a political committee, or a party committee and such website, email, or internet communication is viewed by or disseminated to 25 or more individuals.

*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>

In continuing law, such advertisements must contain the name of the sponsoring organization and the organization's chairperson.

The bill would amend law to require such advertisements made on any website, email, or other type of internet communication to include a clear and obvious statement that includes "Paid for" or "Sponsored by" followed by the name of the chairperson of the political or other organization sponsoring the advertisement or the name of the individual responsible for the advertisement.

Background

The bill was introduced by the House Committee on Elections at the request of Representative Blake Carpenter.

[*Note:* HB 2118 contains provisions similar to those of 2020 HB 2562 as recommended by the House Committee on Elections.]

House Committee on Elections

In the House Committee hearing on the bill, the Executive Director of the Governmental Ethics Commission (Commission) provided **proponent** testimony, stating the Commission was neutral to the bill's provisions relating to removal of the name of the organizing sponsor's treasurer from paid advertisements, but was supportive of the bill's provisions relating to "paid for" attributions on electronic communications because provisions in current law make compliance with this requirement difficult or even impossible in certain situations.

No neutral or **opponent** testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Commission and the Office of the Secretary of State indicate enactment of the bill would not have a fiscal effect on agency operations.

Ethics; campaign finance; political advertisements