AN ACT concerning campaign finance; relating to political ads; amending K.S.A. 2018 Supp. 25-4156 and repealing the existing section.

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

Section 1. K.S.A. 2018 Supp. 25-4156 is hereby amended to read as follows: 25-4156. (a) (1) Whenever any person sells space in any newspaper, magazine or other periodical to a candidate or to a candidate committee, party committee or political committee, the charge made for the use of such space shall not exceed the charges made for comparable use of such space for other purposes.

(2) Intentionally charging an excessive amount for political advertising is a class A misdemeanor.

(b) (1) Except as provided in paragraph (2), corrupt political advertising of a state or local office is:

(A) Publishing or causing to be published in a newspaper or other periodical any paid matter that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by the word "advertisement" or the abbreviation "adv." in a separate line together with the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor;

(B) Broadcasting or causing to be broadcast by any radio or television station any paid matter that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by a statement that states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor;

(C) Telephoning or causing to be contacted by any telephonic means including, but not limited to, any device using a voice over internet protocol or wireless telephone, any paid matter that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is preceded by a statement that states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson or treasurer of the
political or other organization sponsoring the same or the name of the
individual who is responsible therefor;

(D) publishing or causing to be published any brochure, flier or other
political fact sheet that expressly advocates the nomination, election or
defeat of a clearly identified candidate for a state or local office, unless
such matter is followed by a statement that states: "Paid for" or
"Sponsored by" followed by the name of the chairperson or treasurer of
the political or other organization sponsoring the same or the name of the
individual who is responsible therefor.

The provisions of this subparagraph (D) requiring the disclosure of the
name of an individual shall not apply to individuals making expenditures
in an aggregate amount of less than $2,500 within a calendar year; or

(E) making or causing to be made any website, e-mail or other type of
internet communication that expressly advocates the nomination, election
or defeat of a clearly identified candidate for a state or local office, unless
the matter is followed by includes a statement that is clear and obvious
and states: "Paid for" or "Sponsored by" followed by the name of the
chairperson or treasurer of the political or other organization sponsoring
the same or the name of the individual who is responsible therefor.

The provisions of this subparagraph (E) requiring the disclosure of the
name of an individual shall apply only to any website, email or other type
of internet communication that is made by the candidate, the candidate's
candidate committee, a political committee or a party committee and the
website, email or other internet communication viewed by or disseminated
to at least 25 individuals. For the purposes of this subparagraph, the terms
"candidate," "candidate committee," "party committee" and "political
committee" shall have the meanings ascribed to them in K.S.A. 25-4143,
and amendments thereto.

(2) The provisions of subsections (b)(1)(C) and (E) shall not apply to
the publication of any communication that expressly advocates the
nomination, election or defeat of a clearly identified candidate for state or
local office, if such communication is made over any social media
provider which has a character limit of 280 characters or fewer.

(3) Corrupt political advertising of a state or local office is a class C
misdemeanor.

(c) If any provision of this section or application thereof to any
person or circumstance is held invalid, such invalidity does not affect other
provisions or applications of this section that can be given effect without
the invalid application or provision, and to this end the provisions of this
section are declared to be severable.

Sec. 2. K.S.A. 2018 Supp. 25-4156 is hereby repealed.
Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.