As Amended by House Committee
Session of 2011

HOUSE BILL No. 2128

By Committee on Elections

1-31

AN ACT concerning elections; relating to public service advertisements by candidates.

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

Section 1. (a) No candidate for elected office shall either appear in a public service announcement or advertisement or allow the candidate's name to be used in a public service announcement or advertisement during the 60 days before any election in which the candidate's name appears on the ballot.

(b) As used in this section:

1. "Public service announcement or advertisement" means any message broadcast by electronic, telephone or print media promoting or announcing some issue of public importance, public concern or public welfare regardless of whether or not the announcement or advertisement involves the donation of time or space on behalf of the media or is paid for with public sector funds or private sector funds from the current contractor of the sponsoring government entity;

2. "Electronic media" shall not include the website for the government agency or other entity that administers the program promoted by the public service announcement or advertisement; and

3. "Print media" means direct mail literature and advertisements in any newspaper, magazine or any other periodical publication, but it shall not include printed literature promoting a program so long as it is used regularly throughout the year in the regular course of business and not distributed in an unsolicited direct mail advertising campaign at a cost exceeding $2,000 during the 60 days before any election in which the candidate's name appears on the ballot.

(c) This act shall be part of and supplemental to the campaign finance act.

Sec. 2. Violations of this section shall subject the candidate to a civil fine for each violation to be imposed under the provisions of K.S.A. 25-4181, and amendments thereto.

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