

[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2128

By Committee on Elections

1-31

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

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

5 Section 1. (a) No candidate for elected office shall either appear
6 in a public service announcement or advertisement or allow the
7 candidate's name to be used in a public service announcement or
8 advertisement during ~~the~~ **[a period beginning]** 60 days before any
9 **[primary]** election in which the candidate's name appears on the ballot
10 **[and ending with the conclusion of the general election]**.

11 (b) As used in this section:

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

19 (2) "electronic media" shall not include the website for the
20 government agency or other entity that administers the program
21 promoted by the public service announcement or advertisement; and

22 (3) "print media" means direct mail literature and advertisements
23 in any newspaper, magazine or any other periodical publication, but it
24 shall not include printed literature promoting a program so long as it is
25 used regularly throughout the year in the regular course of business and
26 not distributed in an unsolicited direct mail advertising campaign at a
27 cost exceeding \$2,000 during ~~the~~ **[a period beginning]** 60 days before
28 any **[primary]** election in which the candidate's name appears on the
29 ballot **[and ending with the conclusion of the general election]**.

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

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

4 ~~Sec. 2.~~ **3.** This act shall take effect and be in force from and after
5 its publication in the statute book.

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