

[As Amended by House Committee of the Whole]

Session of 2011

House Substitute for Substitute SENATE BILL No. 127

By Committee on Elections

3-17

1 AN ACT concerning elections; amending K.S.A. [~~24-412,~~ 25-2102 and
2 ~~25-4153~~], **25-4153 and 25-4157**] and K.S.A. 2010 Supp. [**24-139a, 24-**
3 **409,** 25-2021, 25-2108a, ~~25-4148~~**25-4143, 25-4148, 25-4157a**] and
4 71-1415 and repealing the existing sections.

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

7 Section 1. K.S.A. 2010 Supp. 25-2021 is hereby amended to
8 read as follows: 25-2021. (a) ~~A primary election shall be held if needed~~
9 ~~to reduce the number of candidates for each office in the general election~~
10 ~~to no more than three candidates. No primary election of school district~~
11 ~~board members shall be held unless by holding such primary two or more~~
12 ~~persons will be eliminated as candidates for office. In the event there are~~
13 ~~not more than three times the number of candidates as there are board~~
14 ~~members to be elected, the names of the candidates for such office shall~~
15 ~~not appear on the primary election ballots, and there shall be no primary~~
16 ~~election for such office, but the names of such candidates shall be placed~~
17 ~~on the general school board election ballot.~~

18 *In school districts in which a member district method of election is in*
19 *effect, if there are more than three qualified candidates for any member*
20 *position in any member district, the county election officer shall call, and*
21 *there shall be held, a primary election in each such member district. The*
22 *names of the two candidates receiving the greatest number of votes for any*
23 *member position at the primary election shall appear on the ballots in the*
24 *general election. If there are three or fewer qualified candidates for any*
25 *member position, there shall not be a primary election and the names of*
26 *the candidates shall be placed on the ballots in the general election.*

27 (b) *In school districts in which the election at large method of election*
28 *is in effect, if there are more than three times the number of candidates as*
29 *there are board members to be elected, the county election officer shall*
30 *call, and there shall be held, a primary election. The names of twice the*
31 *number of candidates as there are board members to be elected who*
32 *received the greatest number of votes at the primary election shall appear*
33 *on the ballots in the general election. If there are not more than three*
34 *times the number of candidates as there are board members to be elected,*
35 *there shall not be a primary election and the names of the candidates shall*

1 *be placed on the ballots in the general election.*

2 *(c) If a member is to be elected to fill an unexpired term, the office*
3 *shall be listed separately on the ballots. If there are more than three*
4 *candidates for such unexpired term, the county election officer shall call,*
5 *and there shall be held, a primary election. The names of the two*
6 *candidates for such unexpired term receiving the greatest number of votes*
7 *shall appear on the ballots in the general election. If there are three or*
8 *fewer qualified candidates for the unexpired term of any member position,*
9 *there shall not be a primary election and the names of the candidates shall*
10 *be placed on the ballots in the general election.*

11 ~~name~~ *(d) On the ballots in general school elections, blank lines for the*
12 *names of write-in candidates shall be printed at the end of the list of*
13 *candidates for each different office. The number of blank lines for such*
14 *elected office shall be equal to the number to be elected thereto. The*
15 *purpose of such blank lines shall be to permit the voter to insert the name*
16 *of any person not printed on the ballot for whom such voter desires to vote*
17 *for such office. No lines for write-in candidates shall appear on primary*
18 *school election ballots.*

19 Sec. 2. K.S.A. 25-2102 is hereby amended to read as follows: 25-
20 2102. (a) "General election" means the election held on the Tuesday
21 succeeding the first Monday in November of even-numbered years, the
22 elections held for officers on the first Tuesday in April, and in the case of
23 special elections of any officers to fill vacancies, the election at which any
24 such officer is finally elected.

25 (b) "Primary election" means the election held on the first Tuesday in
26 August of even-numbered years, the election held five weeks preceding
27 the election on the first Tuesday in April, and any other preliminary
28 election at which part of the candidates for special election to any national,
29 state, county, city or school office are eliminated by the process of the
30 election but at which no officer is finally elected.

31 *(c) "District method" means the election of city officers where the city*
32 *is divided into member districts or wards.*

33 *(d) "Election at large method" means the election of city officers*
34 *without member districts or wards.*

35 Sec. 3. K.S.A. 25-4153 is hereby amended to read as follows: 25-
36 4153. (a) The aggregate amount contributed to a candidate and such
37 candidate's candidate committee and to all party committees and political
38 committees and dedicated to such candidate's campaign, by any political
39 committee or any person except a party committee, the candidate or the
40 candidate's spouse, shall not exceed the following:

41 (1) For the pair of offices of governor and lieutenant governor or for
42 other state officers elected from the state as a whole, \$2,000 for each
43 primary election (or in lieu thereof a caucus or convention of a political

1 party) and an equal amount for each general election;

2 (2) For the office of member of the house of representatives, district
3 judge, district magistrate judge, district attorney, ~~member of the state board~~
4 ~~of education~~ or a candidate for local office, ~~\$500~~**\$750** for each primary
5 election (or in lieu thereof a caucus or convention of a political party) and
6 an equal amount for each general election.

7 (3) For the office of state senator *or member of the state board of*
8 *education*, ~~\$1,000~~**\$1,500** for each primary election (or in lieu thereof a
9 caucus or convention of a political party) and an equal amount for each
10 general election.

11 (b) For the purposes of this section, the face value of a loan at the end
12 of the period of time allocable to the primary or general election is the
13 amount subject to the limitations of this section. A loan in excess of the
14 limits herein provided may be made during the allocable period if such
15 loan is reduced to the permissible level, when combined with all other
16 contributions from the person making such loan, at the end of such
17 allocable period.

18 (c) For the purposes of this section, all contributions made by
19 unemancipated children under 18 years of age shall be considered to be
20 contributions made by the parent or parents of such children. The total
21 amount of such contribution shall be attributed to a single custodial parent
22 and 50% of such contribution to each of two parents.

23 (d) The aggregate amount contributed to a state party committee by a
24 person other than a national party committee or a political committee shall
25 not exceed \$15,000 in each calendar year; and the aggregate amount
26 contributed to any other party committee by a person other than a national
27 party committee or a political committee shall not exceed \$5,000 in each
28 calendar year.

29 The aggregate amount contributed by a national party committee to a
30 state party committee shall not exceed \$25,000 in any calendar year, and
31 the aggregate amount contributed to any other party committee by a
32 national party committee shall not exceed \$10,000 in any calendar year.

33 The aggregate amount contributed to a party committee by a political
34 committee shall not exceed \$5,000 in any calendar year.

35 (e) Any political funds which have been collected and were not
36 subject to the reporting requirements of this act shall be deemed a person
37 subject to these contribution limitations.

38 (f) Any political funds which have been collected and were subject
39 to the reporting requirements of the campaign finance act shall not be used
40 in or for the campaign of a candidate for a federal elective office.

41 (g) The amount contributed by each individual party committee of the
42 same political party other than a national party committee to any candidate
43 for office, for any primary election at which two or more candidates are

1 seeking the nomination of such party shall not exceed the following:

2 (1) For the pair of offices of governor and lieutenant governor and for
3 each of the other state officers elected from the state as a whole, \$2,000 for
4 each primary election (or in lieu thereof a caucus or convention of a
5 political party);.

6 (2) For the office of member of the house of representatives, district
7 judge, district magistrate judge, district attorney, ~~member of the state board~~
8 ~~of education~~ or a candidate for local office, ~~\$500~~**[\$750]** for each primary
9 election (or in lieu thereof a caucus or convention of a political party).

10 (3) For the office of state senator *or member of the state board of*
11 *education*, ~~\$1,000~~**[\$1,500]** for each primary election (or in lieu thereof a
12 caucus or convention of a political party).

13 (h) When a candidate for a specific cycle does not run for office, the
14 contribution limitations of this section shall apply as though the individual
15 had sought office.

16 (i) No person shall make any contribution or contributions to any
17 candidate or the candidate committee of any candidate in the form of
18 money or currency of the United States which in the aggregate exceeds
19 \$100 for any one primary or general election, and no candidate or
20 candidate committee of any candidate shall accept any contribution or
21 contributions in the form of money or currency of the United States which
22 in the aggregate exceeds \$100 from any one person for any one primary or
23 general election.

24 Sec. 4. K.S.A. 2010 Supp. 25-2108a is hereby amended to read as
25 follows: 25-2108a. (a) There shall be a primary election of city officers on
26 the Tuesday preceding by five weeks the first Tuesday in April of every
27 year that such city has a city election, except as otherwise provided in
28 subsection (b) *or subsection (c)* of this section.

29 ~~(b) A primary election shall be held if needed to reduce the number of~~
30 ~~candidates for each office in the general election to no more than three~~
31 ~~candidates. No primary election of city officers shall be held unless by~~
32 ~~holding such primary two or more persons will be eliminated as candidates~~
33 ~~for office. In the event there are not more than three times the number of~~
34 ~~candidates as there are officers to be elected, the names of the candidates~~
35 ~~for such office shall not appear on the primary election ballots, and there~~
36 ~~shall be no primary election for such office, but the names of such~~
37 ~~candidates shall be placed on the general city election ballot.~~

38 *(b) In cities in which a district method of election is in effect, if there*
39 *are more than three qualified candidates for any member district, the*
40 *county election officer shall call, and there shall be held, a primary*
41 *election in each such member district. The names of the two candidates*
42 *receiving the greatest number of votes for any such member district at the*
43 *primary election shall appear on the ballots in the general election. If*

1 *there are three or fewer qualified candidates for any member district,*
2 *there shall not be a primary election and the names of the candidates shall*
3 *be placed on the ballots in the general election.*

4 *(c) In cities in which the election at large method of election is in effect,*
5 *if there are more than three times the number of candidates as there are*
6 *members to be elected, the county election officer shall call, and there*
7 *shall be held, a primary election. The names of twice the number of*
8 *candidates as there are members to be elected who received the greatest*
9 *number of votes at the primary election shall appear on the ballots in the*
10 *general election. If there are not more than three times the number of*
11 *candidates as there are members to be elected, there shall not be a*
12 *primary election and the names of the candidates shall be placed on the*
13 *ballots in the general election.*

14 *(d) On the ballots in general city elections, blank lines for the names of*
15 *write-in candidates shall be printed at the end of the list of candidates for*
16 *each different office. The number of blank lines for each elected office*
17 *shall be equal to the number of candidates to be elected thereto. The*
18 *purpose of such blank lines shall be to permit the voter to insert the name*
19 *of any person not printed on the ballot for whom such voter desires to vote*
20 *for such office. No lines for write-in candidates shall appear on primary*
21 *city election ballots.*

22 **[Sec. 5. K.S.A. 2010 Supp. 25-4143 is hereby amended to read as**
23 **follows: 25-4143. As used in the campaign finance act, unless the**
24 **context otherwise requires:**

25 **(a) "Candidate" means an individual who: (1) Appoints a**
26 **treasurer or a candidate committee;**

27 **(2) makes a public announcement of intention to seek nomination**
28 **or election to state or local office;**

29 **(3) makes any expenditure or accepts any contribution for such**
30 **person's nomination or election to any state or local office; or**

31 **(4) files a declaration or petition to become a candidate for state**
32 **or local office.**

33 **(b) "Candidate committee" means a committee appointed by a**
34 **candidate to receive contributions and make expenditures for the**
35 **candidate.**

36 **(c) "Clearly identified candidate" means a candidate who has**
37 **been identified by the:**

38 **(1) Use of the name of the candidate;**

39 **(2) use of a photograph or drawing of the candidate; or**

40 **(3) unambiguous reference to the candidate whether or not the**
41 **name, photograph or drawing of such candidate is used.**

42 **(d) "Commission" means the governmental ethics commission.**

43 **(e) (1) "Contribution" means:**

1 (A) Any advance, conveyance, deposit, distribution, gift, loan or
2 payment of money or any other thing of value given to a candidate,
3 candidate committee, party committee or political committee for the
4 express purpose of nominating, electing or defeating a clearly
5 identified candidate for a state or local office.

6 (B) Any advance, conveyance, deposit, distribution, gift, loan or
7 payment of money or any other thing of value made to expressly
8 advocate the nomination, election or defeat of a clearly identified
9 candidate for a state or local office;

10 (C) a transfer of funds between any two or more candidate
11 committees, party committees or political committees;

12 (D) the payment, by any person other than a candidate, candidate
13 committee, party committee or political committee, of compensation to
14 an individual for the personal services rendered without charge to or
15 for a candidate's campaign or to or for any such committee;

16 (E) the purchase of tickets or admissions to, or advertisements in
17 journals or programs for, testimonial events; *and*

18 (F) a mailing of materials designed to expressly advocate the
19 nomination, election or defeat of a clearly identified candidate, which
20 is made and paid for by a party committee with the consent of such
21 candidate.

22 (2) "Contribution" does not include:

23 (A) The value of volunteer services provided without
24 compensation;

25 (B) costs to a volunteer related to the rendering of volunteer
26 services not exceeding a fair market value of \$50 during an allocable
27 election period as provided in K.S.A. 25-4149, and amendments
28 thereto;

29 (C) payment by a candidate or candidate's spouse for personal
30 meals, lodging and travel by personal automobile of the candidate or
31 candidate's spouse while campaigning;

32 (D) the value of goods donated to events such as testimonial
33 events, bake sales, garage sales and auctions by any person not
34 exceeding a fair market value of \$50 per event.; *or*

35 (E) *the transfer of campaign funds to a bona fide successor*
36 *committee or candidacy in accordance with K.S.A. 25-4157a, and*
37 *amendments thereto.*

38 (f) "Election" means:

39 (1) A primary or general election for state or local office; and

40 (2) a convention or caucus of a political party held to nominate a
41 candidate for state or local office.

42 (g) (1) "Expenditure" means:

43 (A) Any purchase, payment, distribution, loan, advance, deposit

1 or gift of money or any other thing of value made by a candidate,
2 candidate committee, party committee or political committee for the
3 express purpose of nominating, electing or defeating a clearly
4 identified candidate for a state or local office.

5 (B) Any purchase, payment, distribution, loan, advance, deposit
6 or gift of money or any other thing of value made to expressly
7 advocate the nomination, election or defeat of a clearly identified
8 candidate for a state or local office;

9 (C) any contract to make an expenditure;

10 (D) a transfer of funds between any two or more candidate
11 committees, party committees or political committees; or

12 (E) payment of a candidate's filing fees.

13 (2) "Expenditure" does not include:

14 (A) The value of volunteer services provided without
15 compensation;

16 (B) costs to a volunteer incidental to the rendering of volunteer
17 services not exceeding a fair market value of \$50 during an allocable
18 election period as provided in K.S.A. 25-4149, and amendments
19 thereto;

20 (C) payment by a candidate or candidate's spouse for personal
21 meals, lodging and travel by personal automobile of the candidate or
22 candidate's spouse while campaigning or payment of such costs by the
23 treasurer of a candidate or candidate committee;

24 (D) the value of goods donated to events such as testimonial
25 events, bake sales, garage sales and auctions by any person not
26 exceeding fair market value of \$50 per event; or

27 (E) any communication by an incumbent elected state or local
28 officer with one or more individuals unless the primary purpose
29 thereof is to expressly advocate the nomination, election or defeat of a
30 clearly identified candidate.

31 (h) "Expressly advocate the nomination, election or defeat of a
32 clearly identified candidate" means any communication which uses
33 phrases including, but not limited to:

34 (1) "Vote for the secretary of state";

35 (2) "re-elect your senator";

36 (3) "support the democratic nominee";

37 (4) "cast your ballot for the republican challenger for governor";

38 (5) "Smith for senate";

39 (6) "Bob Jones in '98";

40 (7) "vote against Old Hickory";

41 (8) "defeat" accompanied by a picture of one or more candidates;

42 or

43 (9) "Smith's the one."

- 1 (i) "Party committee" means:
- 2 (1) The state committee of a political party regulated by article 3
- 3 of chapter 25 of the Kansas Statutes Annotated, and amendments
- 4 thereto;
- 5 (2) the county central committee or the state committee of a
- 6 political party regulated under article 38 of chapter 25 of the Kansas
- 7 Statutes Annotated, and amendments thereto;
- 8 (3) the bona fide national organization or committee of those
- 9 political parties regulated by the Kansas Statutes Annotated;
- 10 (4) not more than one political committee established by the state
- 11 committee of any such political party and designated as a recognized
- 12 political committee for the senate;
- 13 (5) not more than one political committee established by the state
- 14 committee of any such political party and designated as a recognized
- 15 political committee for the house of representatives; or
- 16 (6) not more than one political committee per congressional
- 17 district established by the state committee of a political party
- 18 regulated under article 38 of chapter 25 of the Kansas Statutes
- 19 Annotated, and amendments thereto, and designated as a
- 20 congressional district party committee.
- 21 (j) "Person" means any individual, committee, corporation,
- 22 partnership, trust, organization or association.
- 23 (k) (1) "Political committee" means any combination of two or
- 24 more individuals or any person other than an individual, a major
- 25 purpose of which is to expressly advocate the nomination, election or
- 26 defeat of a clearly identified candidate for state or local office or make
- 27 contributions to or expenditures for the nomination, election or defeat
- 28 of a clearly identified candidate for state or local office.
- 29 (2) "Political committee" shall not include a candidate committee
- 30 or a party committee.
- 31 (l) "Receipt" means a contribution or any other money or thing
- 32 of value, but not including volunteer services provided without
- 33 compensation, received by a treasurer in the treasurer's official
- 34 capacity.
- 35 (m) "State office" means any state office as defined in K.S.A. 25-
- 36 2505, and amendments thereto.
- 37 (n) "Testimonial event" means an event held for the benefit of an
- 38 individual who is a candidate to raise contributions for such
- 39 candidate's campaign. Testimonial events include but are not limited
- 40 to dinners, luncheons, rallies, barbecues and picnics.
- 41 (o) "Treasurer" means a treasurer of a candidate or of a
- 42 candidate committee, a party committee or a political committee
- 43 appointed under the campaign finance act or a treasurer of a

1 combination of individuals or a person other than an individual which
2 is subject to paragraph (2) of subsection (a) of K.S.A. 25-4172, and
3 amendments thereto.

4 (p) "Local office" means a member of the governing body of a
5 city of the first class, any elected office of a unified school district
6 having 35,000 or more pupils regularly enrolled in the preceding
7 school year, a county or of the board of public utilities.]

8 [Sec. 6. K.S.A. 25-4157 is hereby amended to read as follows: 25-
9 4157. ~~Before~~Except as provided in subsection (b), before any candidate
10 committee, party committee or political committee may be dissolved
11 or the position of a candidate's treasurer terminated, the treasurer of
12 the candidate or such committee shall file a termination or *inactive*
13 *status* report which shall include full information as to the disposition
14 of residual funds. Any report required by K.S.A. 25-4148 and
15 amendments thereto may be a termination report. Reports of the
16 dissolution of candidate committees of candidates for state office, the
17 termination of the treasurer of a candidate for state office, the
18 dissolution of a political committee the major purpose of which is to
19 support or oppose any candidate for state office and the dissolution of
20 party committees shall be filed in the office of the secretary of state.
21 Reports of the dissolution of candidate committees of candidates for
22 local office, the termination of the treasurer of a candidate for local
23 office and the dissolution of a political committee the major purpose of
24 which is to support or oppose any candidate for local office shall be
25 filed in the office of the county election officer of the county.

26 (b) Any candidate committee which makes a transfer of residual
27 funds to a bona fide successor committee or candidacy in accordance
28 with K.S.A. 25-4157a, and amendments thereto, may file an inactive
29 status report in lieu of a termination report. The inactive status report
30 shall contain full information as to the disposal of residual funds. The
31 inactive status report shall be filed in the same manner as a
32 termination report. Any candidate committee which makes a transfer
33 of residual funds to a bona fide successor committee or candidacy in
34 accordance with K.S.A. 25- 4157a, and amendments thereto, and
35 which files an inactive status report shall be placed on inactive status
36 pursuant to this subsection and shall file all other reports required by
37 this act. No candidate committee, which makes a transfer of residual
38 funds to a bona fide successor committee or candidacy in accordance
39 with K.S.A. 25-4157a, and amendments thereto, and which has been
40 placed on inactive status, shall accept any funds or other contributions
41 while on inactive status. No candidate committee, which makes a
42 transfer of residual funds to a bona fide successor committee or
43 candidacy in accordance with K.S.A. 25-4157a, and amendments

1 thereto, and which has been placed on inactive status, shall be
2 returned to active status until the bona fide successor committee or
3 candidacy has been terminated as required by this act.]]

4 [Sec. 7. K.S.A. 2010 Supp. 25-4157a is hereby amended to read as
5 follows: 25-4157a. (a) No moneys received by any candidate or
6 candidate committee of any candidate as a contribution under this act
7 shall be used or be made available for the personal use of the
8 candidate and no such moneys shall be used by such candidate or the
9 candidate committee of such candidate except for:

- 10 (1) Legitimate campaign purposes;
- 11 (2) expenses of holding political office;
- 12 (3) contributions to the party committees of the political party of
13 which such candidate is a member;
- 14 (4) any membership dues related to the candidate's campaign
15 paid to a community service or civic organization in the name of the
16 candidate;
- 17 (5) any donations paid to a community service or civic
18 organization in the name of the candidate or candidate committee of
19 any candidate but only if the candidate receives no goods or services
20 unrelated to the candidate's campaign as a result of the payment of
21 such donations;
- 22 (6) expenses incurred in the purchase of tickets to meals and
23 special events sponsored by any organization the major purpose of
24 which is to promote or facilitate the social, business, commercial or
25 economic well being of the local community; or
- 26 (7) expenses incurred in the purchase and mailing of greeting
27 cards to voters and constituents.

28 For the purpose of this subsection, expenditures for "personal use"
29 shall include expenditures to defray normal living expenses for the
30 candidate or the candidate's family and expenditures for the personal
31 benefit of the candidate having no direct connection with or effect
32 upon the campaign of the candidate or the holding of public office.

33 (b) No moneys received by any candidate or candidate committee
34 of any candidate as a contribution shall be used to pay interest or any
35 other finance charges upon moneys loaned to the campaign by such
36 candidate or the spouse of such candidate.

37 (c) No candidate or candidate committee shall accept from any
38 other candidate or candidate committee for any candidate for local,
39 state or national office, any moneys received by such candidate or
40 candidate committee as a campaign contribution. The provisions of
41 this subsection shall not be construed to prohibit:

- 42 (1) a candidate or candidate committee from accepting moneys from
43 another candidate or candidate committee if such moneys constitute a

1 reimbursement for one candidate's proportional share of the cost of any
 2 campaign activity participated in by both candidates involved. Such
 3 reimbursement shall not exceed an amount equal to the proportional share
 4 of the cost directly benefiting and attributable to the personal campaign of
 5 the candidate making such reimbursement.; *or*

6 (2) *a candidate or candidate committee from transferring campaign*
 7 *funds to a bona fide successor committee or candidacy established by the*
 8 *candidate.*

9 (d) ~~At the time of the termination of any campaign and prior to the~~
 10 ~~filing of a termination report in accordance with K.S.A. 25-4157, and~~
 11 ~~amendments thereto, all residual funds otherwise not obligated for the~~
 12 ~~payment of expenses incurred in such campaign or the holding of office~~
 13 ~~shall be contributed to a charitable organization, as defined by the laws of~~
 14 ~~the state, contributed to a party committee or returned as a refund in whole~~
 15 ~~or in part to any contributor or contributors from whom received or paid~~
 16 ~~into the general fund of the state.~~ *At the time of the termination or*
 17 *placement on inactive status of any campaign and prior to the filing of a*
 18 *termination or inactive status report in accordance with K.S.A. 25-4157,*
 19 *and amendments thereto, all residual funds shall be used first to retire any*
 20 *debt in such account. Any residual funds remaining after the retirement of*
 21 *all debt in such account not otherwise obligated for the payment of*
 22 *expenses incurred in such campaign or the holding of office, or any*
 23 *portion of such funds, shall be:*

24 (1) *Contributed to a charitable organization, as defined by the laws*
 25 *of the state;*

26 (2) *contributed to a party committee;*

27 (3) *returned as a refund in whole or in part to any contributor or*
 28 *contributors from whom such funds were received;*

29 (4) *paid into the general fund of the state; or*

30 (5) *transferred to a bona fide successor committee or candidacy*
 31 *established by the candidate.*

32 *Whenever a transfer to a bona fide successor committee or candidacy*
 33 *is made pursuant to paragraph (5), all moneys shall be transferred to the*
 34 *bona fide successor committee or candidacy. Once a transfer has been*
 35 *made to a bona fide successor committee or candidacy, the candidate shall*
 36 *be prohibited from making any further transfer back to any campaign*
 37 *committee or candidacy for the office from which the original transfer was*
 38 *made.*

39 [(e) For the purposes of this section, “bona fide successor
 40 committee or candidacy” means the candidate’s campaign committee
 41 or candidacy for a public office initiated at the termination or
 42 placement on inactive status of the original candidacy.]]

43 [New Sec. 8. (a) Upon transferring money to a bona fide successor

1 committee or candidacy as defined by subsection (e) of K.S.A. 25-
 2 4157a, and amendments thereto, the candidate may not accept any
 3 contributions to the original candidacy. Contributions to the bona fide
 4 successor committee or candidacy shall be subject to the contribution
 5 limits set forth in K.S.A. 25-4153, and amendments thereto, for the
 6 successor public office sought. If any contribution to the bona fide
 7 successor committee or candidacy is received from a person who made
 8 a contribution to the original candidacy, the amount of such
 9 contribution to the bona fide successor committee or candidacy shall
 10 not exceed the difference between the contribution limit imposed by
 11 K.S.A. 25-4153, and amendments thereto, for the public office sought
 12 by the bona fide successor committee or candidacy and the aggregate
 13 amount of all contributions made by such person to the original
 14 candidacy.]

15 [(b) This section shall be part of and supplemental to the
 16 campaign finance act.]

17 [New Sec. 9. (a) For the period commencing on January 1, 1976,
 18 and ending December 12, 2003, any candidate who transferred
 19 campaign funds to a bona fide successor candidacy, as such term is
 20 defined in K.S.A. 25-4157a, and amendments thereto, shall be deemed
 21 to have made such transfer in compliance with the provisions of the
 22 campaign finance act in existence at the time of such transfer,
 23 regardless of when the original campaign fund is closed after the date
 24 such transfer was made, and such transfer is hereby validated.]

25 [(b) This section shall be part of and supplemental to the
 26 campaign finance act.]

27 Sec. ~~9~~ [10.] K.S.A. 2010 Supp. 25-4148 is hereby amended to read
 28 as follows: 25-4148. (a) Every treasurer shall file a report prescribed by
 29 this section. Reports filed by treasurers for candidates for state office,
 30 other than officers elected on a state-wide basis, shall be filed ~~in both~~ *with*
 31 the office of the secretary of state ~~and in the office of the county election~~
 32 ~~officer of the county in which the candidate is a resident.~~ Reports filed by
 33 treasurers for candidates for state-wide office shall be filed electronically
 34 and only with the secretary of state. Reports filed by treasurers for
 35 candidates for local office shall be filed ~~electronically~~ in the office of the
 36 county election officer of the county in which the name of the candidate is
 37 on the ballot. Except as otherwise provided by subsection (h), all such
 38 reports shall be filed in time to be received in the offices required on or
 39 before each of the following days:

40 (1) The eighth day preceding the primary election, which report shall
 41 be for the period beginning on January 1 of the election year for the office
 42 the candidate is seeking and ending 12 days before the primary election,
 43 inclusive;

- 1 (2) the eighth day preceding a general election, which report shall be
2 for the period beginning 11 days before the primary election and ending 12
3 days before the general election, inclusive;
- 4 (3) January 10 of the year after an election year, which report shall be
5 for the period beginning 11 days before the general election and ending on
6 December 31, inclusive;
- 7 (4) for any calendar year when no election is held, a report shall be
8 filed on the next January 10 for the preceding calendar year;
- 9 (5) a treasurer shall file only the annual report required by subsection
10 (4) for those years when the candidate is not participating in a primary or
11 general election.
- 12 (b) Each report required by this section shall state:
 - 13 (1) Cash on hand on the first day of the reporting period;
 - 14 (2) the name and address of each person who has made one or more
15 contributions in an aggregate amount or value in excess of \$50 during the
16 election period together with the amount and date of such contributions,
17 including the name and address of every lender, guarantor and endorser
18 when a contribution is in the form of an advance or loan;
 - 19 (3) the aggregate amount of all proceeds from bona fide sales of
20 political materials such as, but not limited to, political campaign pins,
21 buttons, badges, flags, emblems, hats, banners and literature;
 - 22 (4) the aggregate amount of contributions for which the name and
23 address of the contributor is not known;
 - 24 (5) each contribution, rebate, refund or other receipt not otherwise
25 listed;
 - 26 (6) the total of all receipts;
 - 27 (7) the name and address of each person to whom expenditures have
28 been made in an aggregate amount or value in excess of \$50, with the
29 amount, date, and purpose of each; the names and addresses of all persons
30 to whom any loan or advance has been made; when an expenditure is
31 made by payment to an advertising agency, public relations firm or
32 political consultants for disbursement to vendors, the report of such
33 expenditure shall show in detail the name of each such vendor and the
34 amount, date and purpose of the payments to each;
 - 35 (8) the name and address of each person from whom an in-kind
36 contribution was received or who has paid for personal services provided
37 without charge to or for any candidate, candidate committee, party
38 committee or political committee, if the contribution is in excess of \$100
39 and is not otherwise reported under subsection (b)(7), and the amount, date
40 and purpose of the contribution;
 - 41 (9) the aggregate of all expenditures not otherwise reported under this
42 section; and
 - 43 (10) the total of expenditures.

- 1 (c) In addition to the requirements of subsection (b), every treasurer
2 for any political committee and party committee shall report the following:
- 3 (1) (A) The name and address of each candidate for state or local
4 office for whom an expenditure in the form of an in-kind contribution has
5 been made in an aggregate amount or having a fair market value in excess
6 of \$300, with the amount, date and purpose of each. The report shall show
7 in detail the specific service or product provided; and
- 8 (B) the name and address of each candidate for state or local office
9 who is the subject of an expenditure which:
- 10 (i) Is made without the cooperation or consent of a candidate or
11 candidate committee;
- 12 (ii) expressly advocates the nomination, election or defeat of such
13 candidate; and
- 14 (iii) is an aggregate amount or having a fair market value in excess of
15 \$300.
- 16 (2) The report shall state the amount, date and purpose of the
17 expenditure in the form of an in-kind contribution. The report shall show
18 in detail the specific service or product provided. The reporting
19 requirements imposed by this subsection shall be in addition to all other
20 requirements required by this section.
- 21 (d) Treasurers of candidates and of candidate committees shall
22 itemize the purchase of tickets or admissions to testimonial events by a
23 person who purchases such tickets or admissions in an aggregate amount
24 or value in excess of \$50 per event, or who purchases such a ticket or
25 admission at a cost exceeding \$25 per ticket or admission. All other
26 purchases of tickets or admissions to testimonial events shall be reported
27 in an aggregate amount and shall not be subject to the limitations specified
28 in K.S.A. 25-4154, and amendments thereto.
- 29 (e) If a contribution or other receipt from a political committee is
30 required to be reported under subsection (b), the report shall include the
31 full name of the organization with which the political committee is
32 connected or affiliated or; a description of the connection to or affiliation
33 with such organization. If, the committee is not connected or affiliated
34 with any one organization, the report shall state the trade, profession or
35 primary interest of the political committee as reflected by the statement of
36 purpose of such organization.
- 37 (f) The commission may require any treasurer to file an amended
38 report for any period for which the original report filed by such treasurer
39 contains material errors or omissions. The notice of the errors or omissions
40 shall be part of the public record. The amended report shall be filed within
41 30 days after notice by the commission.
- 42 (g) The commission may require any treasurer to file a report for any
43 period for which the required report is not on file. The notice of the failure

1 to file shall be part of the public record. Such report shall be filed within
2 five days after notice by the commission.

3 (h) For the purpose of any report required to be filed pursuant to
4 subsection (a) by the treasurer of any candidate seeking nomination by
5 convention or caucus or by the treasurer of the candidate's committee or by
6 the treasurer of any party committee or political committee, the date of the
7 convention or caucus shall be considered the date of the primary election.

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

10 (j) Any report required by this section may be signed by the candidate
11 in lieu of the candidate's treasurer or the treasurer of the candidate's
12 committee.

13 **[Sec. 6: 11.]** K.S.A. 2010 Supp. 71-1415 is hereby amended to read as
14 follows: 71-1415. (a) ~~A primary election shall be held if needed to reduce~~
15 ~~the number of candidates for each office in the general election to no more~~
16 ~~than three candidates. No primary election of trustees shall be held unless~~
17 ~~by holding such primary two or more persons will be eliminated as~~
18 ~~candidates for office. In the event there are not more than three times the~~
19 ~~number of candidates as there are trustees to be elected, the names of the~~
20 ~~candidates for such office shall not appear on the primary election ballots,~~
21 ~~and there shall be no primary election for such office, but the names of~~
22 ~~such candidates shall be placed on the general election ballot for the board~~
23 ~~of trustees.~~

24 (b) ~~In the general election, there shall appear on the ballots a line~~
25 ~~appropriate for write-in candidates. No lines for write-in candidates shall~~
26 ~~appear on the primary election ballots.~~

27 *In college districts in which a district method of election is in effect, if*
28 *there are more than three qualified candidates for any member position,*
29 *the county election officer shall call, and there shall be held, a primary*
30 *election in each such member district. The names of the two candidates*
31 *receiving the greatest number of votes for any member position at the*
32 *primary election shall appear on the ballots in the general election. If*
33 *there are three or fewer qualified candidates for any member position,*
34 *there shall not be a primary election and the names of the candidates shall*
35 *be placed on the ballots in the general election.*

36 (b) *In college districts in which the election at large method of election*
37 *is in effect, if there are more than three times the number of candidates as*
38 *there are trustees to be elected, the county election officer shall call, and*
39 *there shall be held, a primary election. The names of twice the number of*
40 *candidates as there are trustees to be elected who receive the greatest*
41 *number of votes at the primary election shall appear on the ballots in the*
42 *general election. If there are not more than three times the number of*
43 *candidates as there are trustees to be elected, there shall not be a primary*

1 *election and the names of the candidates shall be placed on the ballots in*
2 *the general election.*

3 *(c) If a member is to be elected to fill an unexpired term, the office*
4 *shall be listed separately on the ballots. If there are more than three*
5 *candidates for such unexpired term, the county election officer shall call,*
6 *and there shall be held, a primary election. The names of the two*
7 *candidates for such unexpired term receiving the greatest number of votes*
8 *shall appear on the ballots in the general election. If there are three or*
9 *fewer qualified candidates for the unexpired term of any member position,*
10 *there shall not be a primary election and the names of the candidates shall*
11 *be placed on the ballots in the general election.*

12 *(d) On the ballots in general college district elections, blank lines for*
13 *the names of write-in candidates shall be printed at the end of the list of*
14 *candidates for each different office. The number of blank lines for each*
15 *elected office shall be equal to the number of candidates to be elected*
16 *thereto. The purpose of such blank lines shall be to permit the voter to*
17 *insert the name of any person not printed on the ballot for whom such*
18 *voter desires to vote for such office. No lines for write-in candidates shall*
19 *appear on primary college district election ballots.*

20 **[Sec. 7-12.] K.S.A. 2010 Supp. 24-139a is hereby amended to read**
21 **as follows:** ~~24-139a. The board of directors of drainage district No. 2 of~~
22 ~~Finney county shall provide by the passage of a resolution for the~~
23 ~~staggering of terms of the board. At the next election of directors, one~~
24 ~~director shall be elected for a two-year term and two directors shall be~~
25 ~~elected for three-year terms. Election of directors thereafter shall be for~~
26 ~~three-year terms. Notwithstanding the provisions of K.S.A. 24-409 and 24-~~
27 ~~412, and amendments thereto, at the election of the board of directors of~~
28 ~~drainage district No. 2 of Finney county, Kansas, in 2013, one director~~
29 ~~shall be elected for a two-year term and two directors shall be elected for~~
30 ~~four-year terms. Prior to such election, the board of directors shall~~
31 ~~determine which board position shall have a term of two years and notify~~
32 ~~the county election officer. Election of directors thereafter shall be for~~
33 ~~four-year terms as provided in K.S.A. 24-409 and 24-412, and~~
34 ~~amendments thereto.~~

35 **[Sec. 8-13.] K.S.A. 2010 Supp. 24-409 is hereby amended to read**
36 **as follows:** **24-409. (a) All powers granted to drainage districts**
37 **incorporated under the provisions of this act shall be exercised by a**
38 **board of directors consisting of three persons. Except as provided in**
39 **K.S.A. 24-412 and K.S.A. 2010 Supp. 24-139a, and amendments thereto,**
40 **the directors shall hold their offices for four years and until their**
41 **successors are elected or appointed, as the case may be, and qualified,**
42 **and shall be chosen at the time and in the manner provided by law.**

43 **(b) Members of the board of directors shall be owners of land**

1 located in the drainage district and shall reside in the county in which
2 the district is located or, if the district is located in more than one
3 county, a county in which any portion of the district is located, except:

4 (1) If there are no residents within the drainage district who are
5 owners of land within the district, any owner of land located within
6 the district shall be a qualified voter and shall be eligible to hold the
7 office of director; and

8 (2) a director shall be either an owner of or a tenant on land
9 located within the drainage district whenever: (A) The drainage
10 district is located within one county and the population of the county
11 does not exceed 10,000; or (B) the drainage district is located in more
12 than one county and the population of any such county does not
13 exceed 10,000.]

14 [Sec. 9-14.] K.S.A. 24-412 is hereby amended to read as follows:
15 **24-412.** (a) *Subject to the provisions of subsection (b), except as*
16 *otherwise provided in this section, an election to choose three directors*
17 *in each district as their successors, shall be held on the first Tuesday in*
18 *April, 1983, and an election shall be held each four years thereafter, on*
19 *the first Tuesday in April, to choose directors. Directors elected in any*
20 *district in 1980 or 1981 shall hold their office until successors are elected*
21 *and qualified at the election in April, 1983.*

22 [(b) On and after January 1, 2012, the board of directors of
23 drainage district No. 2 of Finney county, Kansas, shall be elected as
24 provided in K.S.A. 24-139a, and amendments thereto.]

25 Sec. 7-[15.] K.S.A. [24-412,] 25-2102 and ~~25-4153~~, **25-4153** and
26 **25-4157**] and K.S.A. 2010 Supp. [24-139a, 24-409,] 25-2021, 25-2108a,
27 ~~25-4148~~[**25-4143, 25-4148, 25-4157a**] and 71-1415 are hereby repealed.

28 Sec. ~~8~~[16.] This act shall take effect and be in force from and after
29 its publication in the statute book.