

REVISED — Social Media Attribution Requirements; New Penalties for Late Filing of Certain Reports; Publishing Precinct Level Election Results for Certain Races; HB 2642

HB 2642 maintains an exemption for attributions on certain social media providers, maintains the requirement to include the name of the chairperson or treasurer of a political or other organization in an attribution, establishes new penalties for late-filed candidates' campaign finance reports and certain political committees' reports, addresses lobbyists' reporting formats and penalties, and requires the Office of the Secretary of State to publish precinct-level primary and general election results for certain races.

Attributions

The bill maintains an exemption for attributions on social media providers (e.g., Twitter) by increasing the character limit of communications made over any social media provider from 200 to 280 characters or fewer. The bill also maintains a requirement to include the name of the chairperson or treasurer of a political or other organization in an attribution.

Penalties for Late Filing of Campaign Finance Reports and Lobbyist Report Formats and Penalties

The bill establishes new penalties for late-filed candidates' campaign finance reports that were due immediately prior to a primary or general election. The bill also requires similar penalties for the late filing of certain political committees' reports. The bill addresses lobbyists' reporting format and penalties.

Penalties for Late Filing of Candidates' Last-minute Reports

Under the bill, candidates' reports due the eighth day preceding a primary or general election and filed more than 48 hours late are subject to a civil penalty. The bill specifies the candidate is liable for a penalty of \$100 for the first day such report was more than 48 hours late and \$50 for each subsequent day the report was late. The civil penalty is capped at \$1,000. Notice requirements regarding late reports are unchanged. The bill authorizes the Kansas Governmental Ethics Commission (KGEC) to waive these penalties for good cause.

Penalties for Late Filing of Certain Political Committees' Reports

The bill applies the same civil penalty schedule for late filing of reports—\$100 for the first day and \$50 for each subsequent day—to each political committee that anticipates receiving \$2,501 or more in any calendar year and is more than 48 hours late in submitting the reports required under KSA 2017 Supp. 25-4145 (reporting of organizational information and contribution receipts) and KSA 2017 Supp. 25-4148 (reporting of contributions made to candidates). The civil penalty is also capped at \$1,000 for political committees. The bill authorizes KGEC to waive these penalties for good cause.

Changes Regarding Lobbyist Reporting

The bill requires every lobbyist electronically file the required reports of employment and expenditures. (Prior law did not specify the filing format.) The bill also makes late filing of these reports subject to the same civil penalty amounts as applied under the bill to late last-minute campaign finance reports (*i.e.*, \$100 for the first day such report was more than 48 hours late, \$50 for each subsequent day the report was late, with a cap of \$1,000). The bill authorizes KGEC to waive these penalties for good cause.

Publishing of Precinct Level Election Results for Certain Races

The bill also requires the Office of the Secretary of State to publish precinct-level primary and general election results for all statewide offices, state legislative offices, and federal offices on the Office's official website no later than 30 days after the final canvass of the election has been completed.