

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 485

As Amended by Senate Committee on
Transparency and Ethics

Brief*

SB 485 would add family caregiving services to the list of exceptions to the prohibition on personal use of campaign moneys by a candidate or candidate committee specified in the Campaign Finance Act, if:

- Such expenses are incurred as a result of the candidate's candidacy or holding office, and
- The expenses are directly related to, or have an effect on, the candidate's campaign activities or duties as an office holder.

The bill would define "family caregiving services" to mean an immediate family member of the candidate who is under 13 years of age, disabled, or qualifies for senior care services. "Immediate family member" would mean a spouse, parent, stepparent, grandparent, child, stepchild, sibling, grandchild, former spouse, or any individual living in the same residence as the candidate. The bill would exclude family caregiving services from the term "personal use."

Background

The bill was introduced by the Committee on Federal and State Affairs at the request of Senator Corson.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Senate Committee on Transparency and Ethics

In the Senate Committee hearing, Senator Corson and a representative of the Vote Mama Foundation provided **proponent** testimony, stating the bill would be consistent with Kansas Governmental Ethics Commission and Federal Election Commission opinions, that 15 states have passed similar legislation, and that allowing this use of campaign moneys would allow more potential candidates to run for office. Senator Corson suggested an amendment to clarify the limited circumstances under which campaign funds could be used for this purpose.

The Executive Director of the Kansas Governmental Ethics Commission provided neutral testimony and also requested a clarifying amendment regarding appropriate circumstances of use. No other testimony was provided.

The Senate Committee amended the bill to specify the circumstances under which the campaign moneys could be used for this purpose and to lower the age of a minor for whom caregiving could be paid from campaign moneys from under 18 to under 13 years of age.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, both the Office of the Secretary of State and the Kansas Governmental Ethics Commission indicate enactment of the bill would have no fiscal effect on their agencies.

Campaign funds; Campaign Finance Act; caregiving; child care