

SENATE BILL No. 286

By Committee on Elections and Local Government

2-7

AN ACT concerning governmental ethics; relating to reporting of gifts; amending K.S.A. 46-269 and repealing the existing section.

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

Section 1. K.S.A. 46-269 is hereby amended to read as follows: 46-269. Each report required to be filed by K.S.A. 46-268, and amendments thereto, is a public record and shall be open to public inspection upon request. Such report shall disclose the following:

(a) The full name and address of each person who has paid compensation for lobbying to the lobbyist or has paid for expenses of lobbying by the lobbyist during the period reported.

(b) The aggregate amount or value of all expenditures made, except for expenses of general office overhead, by the lobbyist or by the lobbyist's employer for or in direct relation to lobbying during the reporting period, if such expenditures exceed \$100. Individual expenditures of less than \$2 shall not be required to be reported under this subsection. Every lobbyist shall keep detailed accounts of all expenditures required to be reported pursuant to K.S.A. 46-268, and amendments thereto. Such expenditures shall be reported according to the following categories of expenditures:

- (1) Food and beverages provided as hospitality;
- (2) entertainment, gifts, honoraria or payments;
- (3) mass media communications;
- (4) recreation provided as hospitality;
- (5) communications for the purpose of influencing legislative or executive action; and
- (6) all other reportable expenditures made in the performance of services as a lobbyist. With regard to expenditures for entertainment or hospitality which is primarily recreation, food and beverages, only amounts expended on a state officer or employee or on such officer or employee's spouse shall be considered to be for or in direct relation to lobbying. Notwithstanding the requirements of this subsection and subsection (d), no lobbyist shall be responsible to report any expenditure by the lobbyist's employer of which such person has no knowledge.

(c) (1) In addition to the information reported pursuant to subsection (b), each lobbyist expending an aggregate amount of \$100 or more for

1 lobbying in any reporting period shall report any gift, entertainment or
2 hospitality provided to members of the legislature, members of the ju-
3 dicial branch of government and any employees of the legislature or ju-
4 dicial branch of government. Such report shall disclose the full name of
5 the legislator, member of the judicial branch and employee who received
6 such gift, entertainment or hospitality and the amount expended on such
7 gift, entertainment or hospitality.

8 (2) No report shall be required to be filed pursuant to this subsection
9 (c) for the following:

10 (A) Meals, the provision of which is motivated by a personal or family
11 relationship;

12 (B) meals provided at public events in which the person is attending
13 in an official capacity;

14 (C) meals provided to a person subject to this section when it is ob-
15 vious such meals are not being provided because of the person's official
16 position;

17 (D) food such as soft drinks, coffee or snack foods not offered as part
18 of a meal; and

19 (E) entertainment or hospitality in the form of recreation, food and
20 beverages provided at an event to which the following have been invited:

21 (i) All members of the legislature or all members of either house of
22 the legislature; or

23 (ii) all members of a political party caucus of the legislature or all
24 members of a political party caucus of either house of the legislature; *and*

25 (F) *gifts having an annual aggregate value of \$25 or less.*

26 (d) Except as provided by subsection (c), whenever an individual lob-
27 byist contributes to a single special event, such lobbyist shall report only
28 the aggregate amount or value of the expenditure contributed by such
29 lobbyist.

30 (e) Whenever more than one lobbyist is employed by a single em-
31 ployer, the reports required by this section relating to such employer shall
32 be made by only one such lobbyist and that lobbyist shall be the lobbyist
33 who is most directly connected with the particular expenditure or gift,
34 honoraria or payment. No expenditure or gift, honoraria or payment re-
35 quired to be reported by this section shall be reported by more than one
36 lobbyist.

37 (f) All accounts, records and documents of the lobbyist which relate
38 to every expenditure reported or which should have been reported shall
39 be maintained and preserved by the lobbyist for a period of five years
40 from the date of the filing of such report or statement and may be in-
41 spected under conditions determined by the commission.

42 Sec. 2. K.S.A. 46-269 is hereby repealed.

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