

1 **As Amended by House Committee**

2 *Session of 2003*

3  
4 **HOUSE BILL No. 2134**

5  
6 By Committee on Ethics and Elections

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8 1-30

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10 AN ACT concerning campaign finance; pertaining to use of contributions  
11 for personal purposes; amending K.S.A. 25-4157a and repealing the  
12 existing section.

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

15 Section 1. K.S.A. 25-4157a is hereby amended to read as follows: 25-  
16 4157a. (a) No moneys received by any candidate or candidate commit-  
17 tee of any candidate as a contribution under this act shall be used or be  
18 made available for the personal use of the candidate and no such moneys  
19 shall be used by such candidate or the candidate committee of such candi-  
20 date except for:

21 (1) Legitimate campaign purposes;

22 (2) expenses of holding political office *to which the candidate has*  
23 *been elected;*

24 (3) contributions to the party committees of the political party of  
25 which such candidate is a member;

26 (4) any membership dues or donations paid to a community service  
27 or civic organization in the name of the candidate or candidate committee  
28 of any candidate;

29 (5) expenses incurred in the purchase of tickets to meals and special  
30 events sponsored by any organization the major purpose of which is to  
31 promote or facilitate the social, business, commercial or economic well  
32 being of the local community; or

33 (6) expenses incurred in the purchase and mailing of greeting cards  
34 to voters and constituents.

35 ~~For the purpose of this subsection, expenditures for "personal use"~~  
36 ~~shall include expenditures to defray normal living expenses for the candi-~~  
37 ~~date or the candidate's family and expenditures for the personal benefit~~  
38 ~~of the candidate having no direct connection with or effect upon the~~  
39 ~~campaign of the candidate or the holding of public office.~~

40 (b) (1) *For the purpose of subsection (a), expenditures for "personal*  
41 *use" shall include:*

42 (A) *Expenditures to defray normal living expenses for the candidate*  
43 *or the candidate's family; and*

1 (B) expenditures for the personal benefit of the candidate having no  
2 direct connection with or effect upon:

3 (i) The campaign of the candidate; or

4 (ii) the holding of public office after the candidate is elected.

5 (2) For the purpose of subsection (a), expenditures for “legitimate  
6 campaign expenses” and for “expenses of holding political office to which  
7 the candidate has been elected” shall include, but not be limited to:

8 (A) Rental or purchase of office equipment and supplies;

9 (B) rental of facilities for public meetings;

10 (C) necessary travel and lodging expenses for legislative education  
11 such as seminars, conferences and meetings on legislative issues;

12 (D) rental or purchase of telephones and pagers; and

13 (E) rental or purchase of clothing ~~or other accessories worn exclu-~~  
14 ~~sively~~ by the candidate or the public official **primarily** for the:

15 (i) Advertising of the candidacy; or

16 (ii) performance of the duties of the office to which the candidate has  
17 been elected.

18 ~~(b)~~ (c) No moneys received by any candidate or candidate committee  
19 of any candidate as a contribution shall be used to pay interest or any  
20 other finance charges upon moneys loaned to the campaign by such can-  
21 didate or the spouse of such candidate.

22 ~~(c)~~ (d) No candidate or candidate committee shall accept from any  
23 other candidate or candidate committee for any candidate for local, state  
24 or national office, any moneys received by such candidate or candidate  
25 committee as a campaign contribution. The provisions of this subsection  
26 shall not be construed to prohibit a candidate or candidate committee  
27 from accepting moneys from another candidate or candidate committee  
28 if such moneys constitute a reimbursement for one candidate’s propor-  
29 tional share of the cost of any campaign activity participated in by both  
30 candidates involved. Such reimbursement shall not exceed an amount  
31 equal to the proportional share of the cost directly benefiting and attrib-  
32 utable to the personal campaign of the candidate making such  
33 reimbursement.

34 ~~(d)~~ (e) At the time of the termination of any campaign and prior to  
35 the filing of a termination report in accordance with K.S.A. 25-4157, and  
36 amendments thereto, all residual funds otherwise not obligated for the  
37 payment of expenses incurred in such campaign or the holding of office  
38 shall be contributed to a charitable organization, as defined by the laws  
39 of the state, contributed to a party committee or returned as a refund in  
40 whole or in part to any contributor or contributors from whom received  
41 or paid into the general fund of the state.

42 Sec. 2. K.S.A. 25-4157a 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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