

HOUSE BILL No. 2218

By Committee on Elections and Governmental Organization

1-25

9 AN ACT concerning campaign finance; relating to electioneering com-
10 munications; relating to independent expenditures.

11

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

13 Section 1. (a) Any person who spends or contracts to spend an
14 amount of \$500 or more per calendar year for any electioneering com-
15 munication shall submit a report containing information as required by
16 subsection (b). For each electioneering communication, the report shall
17 include:

18 (1) The name of the clearly identified candidate mentioned in the
19 electioneering communication.

20 (2) The name, street address, city, state and zip code of each individ-
21 ual or other entity that contributes more than \$50 per year to such person
22 for an electioneering communication. In addition, the report shall list the
23 occupation of any individual who contributed \$150 or more.

24 (3) The name, street address, city, state and zip code of the vendor
25 to whom a payment of more than \$50 for such electioneering commu-
26 nication is made or contracted to be made.

27 (4) The amount spent on or contracted to be spent on such election-
28 eering communication. If the person making the electioneering com-
29 munication is an individual, such reports shall also include the occupation
30 and employer of such individual. Reports required by this section shall
31 be in addition to any other reports required by law.

32 (b) (1) (A) For an electioneering communication concerning a can-
33 didate for state office, other than an officer elected on a state-wide basis,
34 the report required by subsection (a) shall be filed in both the office of
35 the secretary of state and in the office of the county election officer of
36 the county in which the candidate is a resident.

37 (B) For an electioneering communication concerning a candidate for
38 state-wide office, the report required by subsection (a) shall be filed only
39 with the secretary of state.

40 (C) For an electioneering communication concerning a candidate for
41 local office, the report required by subsection (a) shall be filed in the
42 office of the county election officer of the county in which the name of
43 the candidate is on the ballot.

- 1 (2) Except as required by paragraph (3), each report required by sub-
2 section (a) shall be filed in time to be received in the offices required in
3 accordance with the times set forth in K.S.A. 25-4148 and amendments
4 thereto.
- 5 (3) For any electioneering communication occurring during the 11
6 days preceding the election, the report required by subsection (a) shall
7 be filed on or before the close of the second business day following the
8 day in which such funds are spent or contracted to be spent for such
9 electioneering communication.
- 10 (c) For the purposes of this section:
- 11 (1) “Electioneering communication” means any communication
12 broadcast by television or radio, printed in a newspaper or on a billboard,
13 directly mailed or delivered by hand to personal residences or otherwise
14 distributed that:
- 15 (A) Unambiguously refers to any clearly identified candidate;
16 (B) is broadcast, printed, mailed, delivered or distributed within 30
17 days before a primary election or 60 days before a general election;
18 (C) is broadcast to, printed in a newspaper distributed to, mailed to,
19 delivered by hand to, or otherwise distributed to an audience that includes
20 members of the electorate for such public office.
- 21 (2) “Electioneering communication” does not include:
- 22 (A) Any news articles, editorial endorsements, opinion or commen-
23 tary writings, or letters to the editor printed in a newspaper, magazine or
24 other periodical not owned or controlled by a candidate or political party;
25 (B) any editorial endorsements or opinions aired by a broadcast fa-
26 cility not owned or controlled by a candidate or political party;
27 (C) any communication by persons made in the regular course and
28 scope of their business or any communication made by a membership
29 organization solely to members of such organization and their families;
30 (D) any communication that refers to any candidate only as part of
31 the popular name of a bill or statute;
32 (E) any communication made solely to promote a candidate debate
33 or forum that is made by or on behalf of the person sponsoring such
34 debate or forum; or
35 (F) any communication made as part of a nonpartisan activity de-
36 signed to encourage individuals to vote or register to vote.
- 37 (d) The provisions of this section shall be part of and supplemental
38 to the campaign finance act.
- 39 Sec. 2. This act shall take effect and be in force from and after its
40 publication in the statute book.