

HOUSE BILL No. 2308

By Committee on Elections

2-11

1 AN ACT concerning elections; relating to campaign finance; amending
2 K.S.A. 2010 Supp. 25-4148 and repealing the existing section.

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

5 Section 1. K.S.A. 2010 Supp. 25-4148 is hereby amended to read as
6 follows: 25-4148. (a) Every treasurer shall file a report prescribed by this
7 section. Reports filed by treasurers for candidates for state office, other
8 than officers elected on a state-wide basis, shall be filed in both the office
9 of the secretary of state and in the office of the county election officer of
10 the county in which the candidate is a resident. Reports filed by treasurers
11 for candidates for state-wide office shall be filed electronically and only
12 with the secretary of state. Reports filed by treasurers for candidates for
13 local office shall be filed *electronically* in the office of the county election
14 officer of the county in which the name of the candidate is on the ballot.
15 Except as otherwise provided by subsection (h), all such reports shall be
16 filed in time to be received in the offices required on or before each of the
17 following days:

18 (1) The eighth day preceding the primary election, which report
19 shall be for the period beginning on January 1 of the election year for the
20 office the candidate is seeking and ending 12 days before the primary
21 election, inclusive;

22 (2) the eighth day preceding a general election, which report shall be
23 for the period beginning 11 days before the primary election and ending
24 12 days before the general election, inclusive;

25 (3) January 10 of the year after an election year, which report shall
26 be for the period beginning 11 days before the general election and
27 ending on December 31, inclusive;

28 (4) for any calendar year when no election is held, a report shall be
29 filed on the next January 10 for the preceding calendar year;

30 (5) a treasurer shall file only the annual report required by
31 subsection (4) for those years when the candidate is not participating in a
32 primary or general election.

33 (b) Each report required by this section shall state:

34 (1) Cash on hand on the first day of the reporting period;

35 (2) the name and address of each person who has made one or more
36 contributions in an aggregate amount or value in excess of \$50 during the

1 election period together with the amount and date of such contributions,
2 including the name and address of every lender, guarantor and endorser
3 when a contribution is in the form of an advance or loan;

4 (3) the aggregate amount of all proceeds from bona fide sales of
5 political materials such as, but not limited to, political campaign pins,
6 buttons, badges, flags, emblems, hats, banners and literature;

7 (4) the aggregate amount of contributions for which the name and
8 address of the contributor is not known;

9 (5) each contribution, rebate, refund or other receipt not otherwise
10 listed;

11 (6) the total of all receipts;

12 (7) the name and address of each person to whom expenditures have
13 been made in an aggregate amount or value in excess of \$50, with the
14 amount, date; and purpose of each; the names and addresses of all
15 persons to whom any loan or advance has been made; when an
16 expenditure is made by payment to an advertising agency, public relations
17 firm or political consultants for disbursement to vendors, the report of
18 such expenditure shall show in detail the name of each such vendor and
19 the amount, date and purpose of the payments to each;

20 (8) the name and address of each person from whom an in-kind
21 contribution was received or who has paid for personal services provided
22 without charge to or for any candidate, candidate committee, party
23 committee or political committee, if the contribution is in excess of \$100
24 and is not otherwise reported under subsection (b)(7), and the amount,
25 date and purpose of the contribution;

26 (9) the aggregate of all expenditures not otherwise reported under
27 this section; and

28 (10) the total of expenditures.

29 (c) In addition to the requirements of subsection (b), every treasurer
30 for any political committee and party committee shall report the
31 following:

32 (1) (A) The name and address of each candidate for state or local
33 office for whom an expenditure in the form of an in-kind contribution has
34 been made in an aggregate amount or having a fair market value in excess
35 of \$300, with the amount, date and purpose of each. The report shall
36 show in detail the specific service or product provided; and

37 (B) the name and address of each candidate for state or local office
38 who is the subject of an expenditure which:

39 (i) Is made without the cooperation or consent of a candidate or
40 candidate committee;

41 (ii) expressly advocates the nomination, election or defeat of such
42 candidate; and

43 (iii) is an aggregate amount or having a fair market value in excess

1 of \$300.

2 (2) The report shall state the amount, date and purpose of the
3 expenditure in the form of an in-kind contribution. The report shall show
4 in detail the specific service or product provided. The reporting
5 requirements imposed by this subsection shall be in addition to all other
6 requirements required by this section.

7 (d) Treasurers of candidates and of candidate committees shall
8 itemize the purchase of tickets or admissions to testimonial events by a
9 person who purchases such tickets or admissions in an aggregate amount
10 or value in excess of \$50 per event, or who purchases such a ticket or
11 admission at a cost exceeding \$25 per ticket or admission. All other
12 purchases of tickets or admissions to testimonial events shall be reported
13 in an aggregate amount and shall not be subject to the limitations
14 specified in K.S.A. 25-4154, and amendments thereto.

15 (e) If a contribution or other receipt from a political committee is
16 required to be reported under subsection (b), the report shall include the
17 full name of the organization with which the political committee is
18 connected or affiliated or, a description of the connection to or affiliation
19 with such organization. If, the committee is not connected or affiliated
20 with any one organization, the report shall state the trade, profession or
21 primary interest of the political committee as reflected by the statement of
22 purpose of such organization.

23 (f) The commission may require any treasurer to file an amended
24 report for any period for which the original report filed by such treasurer
25 contains material errors or omissions. The notice of the errors or
26 omissions shall be part of the public record. The amended report shall be
27 filed within 30 days after notice by the commission.

28 (g) The commission may require any treasurer to file a report for any
29 period for which the required report is not on file. The notice of the
30 failure to file shall be part of the public record. Such report shall be filed
31 within five days after notice by the commission.

32 (h) For the purpose of any report required to be filed pursuant to
33 subsection (a) by the treasurer of any candidate seeking nomination by
34 convention or caucus or by the treasurer of the candidate's committee or
35 by the treasurer of any party committee or political committee, the date of
36 the convention or caucus shall be considered the date of the primary
37 election.

38 (i) If a report is sent by certified or registered mail on or before the
39 day it is due, the mailing shall constitute receipt by that office.

40 (j) Any report required by this section may be signed by the
41 candidate in lieu of the candidate's treasurer or the treasurer of the
42 candidate's committee.

43 Sec. 2. K.S.A. 2010 Supp. 25-4148 is hereby repealed.

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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