

1 AN ACT relating to campaign finance and declaring an emergency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 121.015 is amended to read as follows:

4 As used in this chapter:

5 (1) "Registry" means the Kentucky Registry of Election Finance;

6 (2) "Election" means any primary, regular, or special election to fill vacancies
7 regardless of whether a candidate or slate of candidates is opposed or unopposed in
8 an election. Each primary, regular, or special election shall be considered a separate
9 election;

10 (3) "Committee" includes the following:

11 (a) "Campaign committee," which means one (1) or more persons who receive
12 contributions and make expenditures to support or oppose one (1) or more
13 specific candidates or slates of candidates for nomination or election to any
14 state, county, city, or district office, but does not include an entity established
15 solely by a candidate which is managed solely by a candidate and a campaign
16 treasurer and whose name is generic in nature, such as "Friends of (the
17 candidate)," and does not reflect that other persons have structured themselves
18 as a committee, designated officers of the committee, and assigned
19 responsibilities and duties to each officer with the purpose of managing a
20 campaign to support or oppose a candidate in an election;

21 (b) "Caucus campaign committee," which means members of one (1) of the
22 following caucus groups who receive contributions and make expenditures to
23 support or oppose one (1) or more specific candidates or slates of candidates
24 for nomination or election, or a committee:

- 25 1. House Democratic caucus campaign committee;
- 26 2. House Republican caucus campaign committee;
- 27 3. Senate Democratic caucus campaign committee;

- 1 4. Senate Republican caucus campaign committee; or
- 2 5. Subdivisions of the state executive committee of a minor political party,
- 3 which serve the same function as the above-named committees, as
- 4 determined by regulations promulgated by the registry;
- 5 (c) "Political issues committee," which means three (3) or more persons joining
- 6 together to advocate or oppose a constitutional amendment or public question
- 7 which appears on the ballot if that committee receives or expends money in
- 8 excess of one thousand dollars (\$1,000);
- 9 (d) "Permanent committee," which means a group of individuals, including an
- 10 association, committee, or organization, other than a campaign committee,
- 11 political issues committee, inaugural committee, caucus campaign committee,
- 12 or party executive committee, which is established as, or intended to be, a
- 13 permanent organization having as a primary purpose expressly advocating the
- 14 election or defeat of one (1) or more clearly identified candidates, slates of
- 15 candidates, or political parties, which functions on a regular basis throughout
- 16 the year;
- 17 (e) An executive committee of a political party; and
- 18 (f) "Inaugural committee," which means one (1) or more persons who receive
- 19 contributions and make expenditures in support of inauguration activities for
- 20 any candidate or slate of candidates elected to any state, county, city, or
- 21 district office;
- 22 (4) "Contributing organization" means a group which merely contributes to candidates,
- 23 slates of candidates, campaign committees, caucus campaign committees, or
- 24 executive committees from time to time from funds derived solely from within the
- 25 group, and which does not solicit or receive funds from sources outside the group
- 26 itself. ~~However,~~ Any contributions made by the groups in excess of one hundred
- 27 dollars (\$100) shall be reported to the registry;

- 1 (5) "Testimonial affair" means an affair held in honor of a person who holds or who is
2 or was a candidate for nomination or election to a political office in this state
3 designed to raise funds for any purpose not charitable, religious, or educational;
- 4 (6) "Contribution" means any:
- 5 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,
6 to a candidate, his or her agent, a slate of candidates, its authorized agent, a
7 committee, or contributing organization. As used in this subsection, "loan"
8 shall include a guarantee, endorsement, or other form of security where the
9 risk of nonpayment rests with the surety, guarantor, or endorser, as well as
10 with a committee, contributing organization, candidate, slate of candidates, or
11 other primary obligor. No person shall become liable as surety, endorser, or
12 guarantor for any sum in any one (1) election which, when combined with all
13 other contributions the individual makes to a candidate, his or her agent, a
14 slate of candidates, its agent, a committee, or a contributing organization,
15 exceeds the contribution limits provided in KRS 121.150;
- 16 (b) Payment by any person other than the candidate, his or her authorized
17 treasurer, a slate of candidates, its authorized treasurer, a committee, or a
18 contributing organization, of compensation for the personal services of
19 another person which are rendered to a candidate, slate of candidates,
20 committee, or contributing organization, or for inauguration activities;
- 21 (c) Goods, advertising, or services with a value of more than one hundred dollars
22 (\$100) in the aggregate in any one (1) election which are furnished to a
23 candidate, slate of candidates, committee, or contributing organization or for
24 inauguration activities without charge, or at a rate which is less than the rate
25 normally charged for the goods or services; or
- 26 (d) Payment by any person other than a candidate, his or her authorized treasurer,
27 a slate of candidates, its authorized treasurer, a committee, or contributing

1 organization for any goods or services with a value of more than one hundred
2 dollars (\$100) in the aggregate in any one (1) election which are utilized by a
3 candidate, slate of candidates, committee, or contributing organization, or for
4 inauguration activities;

5 (7) Notwithstanding the foregoing meanings of "contribution," the word shall not be
6 construed to include:

7 (a) Services provided without compensation by individuals volunteering a portion
8 or all of their time on behalf of a candidate, a slate of candidates, committee,
9 or contributing organization;

10 (b) A loan of money by any financial institution doing business in Kentucky made
11 in accordance with applicable banking laws and regulations and in the
12 ordinary course of business; or

13 (c) An independent expenditure by any individual or permanent committee;

14 (8) "Candidate" means any person who has received contributions or made
15 expenditures, has appointed a campaign treasurer, or has given his or her consent
16 for any other person to receive contributions or make expenditures with a view to
17 bringing about his or her nomination or election to public office, except federal
18 office;

19 (9) "Slate of candidates" means:

20 (a) Between the time a certificate or petition of nomination has been filed for a
21 candidate for the office of Governor under KRS 118.365 and the time the
22 candidate designates a running mate for the office of Lieutenant Governor
23 under KRS 118.126, a slate of candidates consists of the candidate for the
24 office of Governor; and

25 (b) After that candidate has designated a running mate under KRS 118.126, that
26 same slate of candidates consists of that same candidate for the office of
27 Governor and the candidate's running mate for the office of Lieutenant

1 Governor. Unless the context requires otherwise, any provision of law that
2 applies to a candidate shall also apply to a slate of candidates;

3 (10) "Knowingly" means, with respect to conduct or to a circumstance described by a
4 statute defining an offense, that a person is aware or should have been aware that
5 his or her conduct is of that nature or that the circumstance exists;

6 (11) "Fundraiser" means an individual who directly solicits and secures contributions on
7 behalf of a candidate or slate of candidates for a statewide-elected state office or an
8 office in a jurisdiction with a population in excess of two hundred thousand
9 (200,000) residents;

10 (12) "Independent expenditure" means the expenditure of money or other things of value
11 for a communication which expressly advocates the election or defeat of a clearly
12 identified candidate or slate of candidates, and which is made without any
13 coordination, consultation, or cooperation with any candidate, slate of candidates,
14 campaign committee, or any authorized person acting on behalf of any of them, and
15 which is not made in concert with, or at the request or suggestion of any candidate,
16 slate of candidates, campaign committee, or any authorized person acting on behalf
17 of any of them;

18 (13) "Electronic reporting" means the use of technology, having electrical, digital,
19 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an
20 individual or other entity submits, compiles, or transmits campaign finance reports
21 to the registry, or by which the registry receives, stores, analyzes, or discloses the
22 reports;

23 (14) "Security procedure" means a procedure employed for the purpose of verifying that
24 an electronic signature, record, or performance is that of a specific person or for
25 detecting changes or errors in the information in an electronic record. The term
26 includes a procedure that requires the use of algorithms or other codes, identifying
27 words or numbers, encryption, or callback or other acknowledgment procedures;

1 (15) "Electronic signature" means an electronic sound, symbol, or process attached to or
 2 logically associated with a record and executed or adopted by a person with the
 3 intent to sign the record;

4 (16) "Filer" means any candidate, a slate of candidates, committee, or other individual or
 5 entity required to submit financial disclosure reports to the registry;~~and~~

6 (17) "Filer-side software" means software provided to or used by the filer that enables
 7 transmittal of financial reports to the registry; and

8 (18) "Form" means an online Web page or an electronic document designed to
 9 capture, validate, and submit data for processing to the registry, unless the
 10 context otherwise prescribes.

11 ➔Section 2. KRS 121.160 is amended to read as follows:

12 (1) ~~[As part of the filing papers]~~Each candidate or slate of candidates shall, on a
 13 ~~duplicate~~ form prescribed and furnished by the registry, designate a campaign
 14 treasurer to act as their agent at the time~~and at the office with which~~ they file as a
 15 candidate or slate of candidates, and until this requirement is met, the candidate or
 16 slate of candidates shall be listed as their own treasurer and accountable as such.
 17 The candidate or slate of candidates may appoint themselves or any registered voter
 18 in Kentucky as the campaign treasurer. The office with which the candidate or slate
 19 of candidates is required to file shall immediately forward to the registry ~~a~~the
 20 ~~duplicate~~ copy of the ~~completed form designating the candidate's or slate's~~
 21 ~~campaign treasurer and shall attach the original to the~~ candidate's or slate's filing
 22 papers. The office with which the candidate or slate of candidates files shall
 23 promptly notify the registry when a candidate withdraws.

24 (2) The duties of a campaign treasurer shall be to:

25 (a) Designate a depository bank in which the primary campaign account shall be
 26 maintained and deposit all contributions in that account;

27 (b) Keep detailed and exact accounts of:

- 1 1. Contributions of any amount made by a permanent committee, by name
2 and business address of the permanent committee, the date of the
3 contribution, the amount contributed, and a description of the major
4 business, social, or political interest represented by the permanent
5 committee; and
- 6 2. ~~[Contributions in excess of one hundred dollars (\$100) made to a~~
7 ~~candidate or slate of candidates for a statewide elected state office, by~~
8 ~~the date, name, address, occupation, and employer of each contributor~~
9 ~~and the spouse of the contributor or, if the contributor or spouse of the~~
10 ~~contributor is self-employed, the name under which he is doing business,~~
11 ~~and the amount contributed by each contributor; and~~
- 12 ~~3.]~~ Contributions in excess of one hundred dollars (\$100) made to any
13 candidate~~[other than those specified in subparagraph 2.],~~ by name,
14 address, age if under legal voting age, date of the contribution, amount
15 of the contribution, and the employer and occupation of each other
16 contributor. If the contributor is self-employed, the name under which he
17 is doing business shall be listed. The occupation listed for the
18 contributor shall be specific. A general classification, such as
19 "businessman", shall be insufficient;
- 20 (c) Make or authorize all expenditures on behalf of a candidate or slate of
21 candidates. Any expenditure in excess of twenty-five dollars (\$25) shall be by
22 check and the treasurer's records shall disclose the name, address, and
23 occupation of every person or firm to whom made, and shall list the date and
24 amount of the expenditure and the treasurer shall keep a receipted bill for
25 each;
- 26 (d) Maintain all receipted bills and accounts required by this section for a period
27 of six (6) years from the date he files his last report under KRS

1 121.180(3)(b)1.; and

2 (e) Make no payment to any person not directly providing goods or services with
3 the intent to conceal payment to another.

4 (3) A candidate or slate of candidates may remove a campaign treasurer at any time.

5 (4) In case of the death, resignation, or removal of a campaign treasurer, the candidate
6 or slate of candidates shall within three (3) days after receiving notice thereof by
7 certified mail, appoint a successor and shall file his name and address with the
8 registry. The candidate, or slate shall be accountable as their own campaign
9 treasurer if they fail to meet this filing requirement.

10 (5) A person may serve as campaign treasurer for more than one (1) candidate or slate
11 of candidates, but all reports shall be made separately for each individual candidate
12 or slate.

13 (6) The candidate or slate of candidates may pay a campaign treasurer a salary for his
14 services which shall be considered a campaign expense and shall comply with the
15 reporting provisions of KRS 121.180 and administrative regulations promulgated by
16 the registry.

17 ➔Section 3. KRS 121.180 is amended to read as follows:

18 (1) (a) Any candidate, slate of candidates, or political issues committee shall be
19 exempt from filing any campaign finance reports required by subsections (3)
20 and (4) of this section if the candidate, slate of candidates, or political issues
21 committee chair files a form prescribed and furnished by the registry stating
22 that currently no contributions have been received and that contributions will
23 not be accepted or expended in excess of three thousand dollars (\$3,000) in
24 any one (1) election. A separate form shall be required for each primary,
25 regular, or special election in which the candidate or slate of candidates
26 participates or in which the public question appears on the ballot, ~~unless the~~
27 ~~candidate, slate of candidates, or political issues committee chair indicates on~~

1 ~~a request for exemption that the request will be applicable to more than one~~
2 ~~(1) election. The form shall be filed with the same office with which a~~
3 ~~candidate or slate of candidates files nomination papers or, in the case of a~~
4 ~~political issues committee, with the registry].~~ **The form shall be submitted by**
5 **means of electronic filing with the registry.**

6 (b) For a primary, a candidate or slate of candidates shall file a request for
7 exemption not later than the deadline for filing nomination papers and, except
8 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be
9 bound by its terms unless it is rescinded in writing not later than thirty (30)
10 days preceding the primary. For a regular election, a candidate or slate of
11 candidates shall file or rescind in writing a request for exemption not later
12 than sixty (60) days preceding the regular election, except as provided in
13 subparagraph 2. of paragraph (c) of this subsection. For a special election, a
14 candidate or slate of candidates shall file a request for exemption not later
15 than ten (10) days after the candidate or slate of candidates is nominated for a
16 special election and shall be bound by its terms unless it is rescinded in
17 writing not later than thirty (30) days preceding the special election. A
18 political issues committee chair shall file a request for exemption when the
19 committee registers with the registry and shall be bound by its terms unless it
20 is rescinded in writing not later than thirty (30) days preceding the date the
21 issue appears on the ballot.

22 (c) 1. A candidate or slate of candidates that revokes a request for exemption
23 in a timely manner shall file all reports required of a candidate intending
24 to raise or spend in excess of three thousand dollars (\$3,000) in an
25 election. To revoke the request for an exemption, the candidate or slate
26 of candidates shall file the appropriate form with the registry not later
27 than the deadline for filing a revocation.

- 1 2. A candidate or slate of candidates that is exempted from campaign
2 finance reporting requirements pursuant to paragraph (a) of this
3 subsection but who accepts contributions or makes expenditures in
4 excess of the exempted amount in an election, shall file all applicable
5 reports required for the remainder of that election, based upon the
6 amount of contributions or expenditures the candidate or slate of
7 candidates accepts or receives in that election. ~~[The filing of applicable
8 required reports by a candidate or slate of candidates after the exempted
9 amount is exceeded shall serve as notice to the registry that the initial
10 exemption has been rescinded. No further notice to the registry shall be
11 required and no penalty for exceeding the initial exempted amount shall
12 be imposed against the candidate or slate of candidates, except for
13 failure to file applicable reports required after the exempted amount is
14 exceeded.]~~
- 15 (d) Any candidate or slate of candidates that is subject to a June or August filing
16 deadline and that intends to execute a request for exemption shall file the
17 appropriate request for exemption not later than the filing deadline and, except
18 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be
19 bound by its terms unless it is rescinded in writing not later than sixty (60)
20 days preceding the regular election. A candidate or slate of candidates that is
21 covered by this paragraph shall have the same reversion rights as those
22 provided in subparagraph 1. of paragraph (c) of this subsection.
- 23 (e) Any candidate or slate of candidates that will appear on the ballot in a regular
24 election that has signed a request for exemption for that election may exercise
25 the reversion rights provided in subparagraph 1. of paragraph (c) of this
26 subsection if a candidate or slate of candidates that is subject to a June or
27 August filing deadline subsequently files in opposition to the candidate or

1 slate of candidates. Except as provided in subparagraph 2. of paragraph (c) of
2 this subsection, a candidate or slate of candidates covered by this paragraph
3 shall comply with the deadline for rescission provided in subparagraph 1. of
4 paragraph (c) of this subsection.

5 (f) Except as provided in subparagraph 2. of paragraph (c) of this subsection, any
6 candidate or slate of candidates that has filed a request for exemption for a
7 regular election that later is opposed by a person who has filed a declaration of
8 intent to receive write-in votes may rescind the request for exemption and
9 exercise the reversion rights provided in subparagraph 1. of paragraph (c) of
10 this subsection.

11 (g) Any candidate or slate of candidates that has filed a request for exemption
12 may petition the registry to determine whether another person is campaigning
13 as a write-in candidate prior to having filed a declaration of intent to receive
14 write-in votes, and, if the registry determines upon a preponderance of the
15 evidence that a person who may later be a write-in candidate is conducting a
16 campaign, the candidate or slate of candidates, except as provided in
17 subparagraph 2. of paragraph (c) of this subsection, may petition the registry
18 to permit the candidate or slate of candidates to exercise the reversion rights
19 provided in subparagraph 1. of paragraph (c) of this subsection.

20 (h) If the opponent of a candidate or slate of candidates is replaced due to his or
21 her withdrawal because of death, disability, or disqualification, the candidate
22 or slate of candidates, except as provided in subparagraph 2. of paragraph (c)
23 of this subsection, may exercise the reversion rights provided in subparagraph
24 1. of paragraph (c) of this subsection not later than fifteen (15) days after the
25 party executive committee nominates a replacement for the withdrawn
26 candidate or slate of candidates.

27 (i) A person intending to be a write-in candidate for any office in a regular or

1 special election may execute a request for exemption under paragraph (a) of
2 this subsection and shall be bound by its terms unless it is rescinded in writing
3 not later than fifteen (15) days preceding the regular or special election. A
4 person intending to be a write-in candidate who revokes a request for
5 exemption in a timely manner shall file all reports required of a candidate
6 intending to raise or spend in excess of three thousand dollars (\$3,000) in an
7 election. Except as provided in subparagraph 2. of paragraph (c) of this
8 subsection, a person intending to be a write-in candidate who revokes a
9 request for exemption shall file the appropriate form with the registry.

10 (j) Except as provided in subparagraph 2. of paragraph (c) of this subsection, the
11 campaign committee of any candidate or slate of candidates that has filed a
12 request for exemption or a political issues committee whose chair has filed a
13 request for exemption shall be bound by its terms unless it is rescinded in a
14 timely manner.

15 (k) 1. Except as provided in subparagraph 2. of paragraph (c) of this
16 subsection, any candidate, slate of candidates, or political issues
17 committee that is exempt from filing campaign finance reports pursuant
18 to paragraph (a), (d), or (i) of this subsection that accepts contributions
19 or makes expenditures, or whose campaign treasurer accepts
20 contributions or makes expenditures, in excess of the applicable limit in
21 any one (1) election without rescinding the request for exemption in a
22 timely manner shall comply with all applicable reporting requirements
23 and, in lieu of other penalties prescribed by law, pay a fine of not less
24 than five hundred dollars (\$500).

25 2. Except as provided in subparagraph 2. of paragraph (c) of this
26 subsection, a candidate, slate of candidates, campaign committee, or
27 political issues committee that is exempt from filing campaign finance

1 reports pursuant to paragraph (a), (d), or (i) of this subsection that
 2 knowingly accepts contributions or makes expenditures in excess of the
 3 applicable spending limit in any one (1) election without rescinding the
 4 request for exemption in a timely manner shall comply with all
 5 applicable reporting requirements and shall be guilty of a Class D
 6 felony.

7 **(l) 1. Any candidate exempt from filing under this subsection for a primary**
 8 **shall file a report described in subsection (4) of this section.**

9 **2. Any candidate exempt from filing under this subsection for a primary**
 10 **who advances to the regular election shall file for an additional**
 11 **exemption under this section for the regular election or the candidate**
 12 **shall no longer be exempt from the filing requirements.**

13 **3. In the event a candidate exempt from filing under this subsection is no**
 14 **longer eligible for the exemption, he or she shall immediately file for a**
 15 **revocation of the exemption under paragraph (c) of this subsection.**

16 (2) (a) State and county executive committees, and caucus campaign committees
 17 shall make a full report, upon a prescribed form, to the registry, of all money,
 18 loans, or other things of value, received from any source, and expenditures
 19 authorized, incurred, or made, since the date of the last report, including:

20 1. For each contribution of any amount made by a permanent committee,
 21 the name and business address of the permanent committee, the date of
 22 the contribution, the amount contributed, and a description of the major
 23 business, social, or political interest represented by the permanent
 24 committee;

25 2. For other contributions in excess of one hundred dollars (\$100), the full
 26 name, address, age if less than the legal voting age, the date of the
 27 contribution, the amount of the contribution, and the employer and

1 occupation of each contributor. If the contributor is self-employed, the
2 name under which he or she is doing business shall be listed;

3 3. The total amount of cash contributions received during the reporting
4 period; and

5 4. A complete statement of expenditures authorized, incurred, or made.
6 The complete statement of expenditures shall include the name and
7 address of each person to whom an expenditure is made in excess of
8 twenty-five dollars (\$25), and the amount, date, and purpose of each
9 expenditure.

10 (b) In addition to the reporting requirements in paragraph (a) of this subsection,
11 the state executive committee of a political party that has established a
12 building fund account under KRS 121.172 shall make a full report, upon a
13 prescribed form, to the registry, of all contributions received from any source,
14 and expenditures authorized, incurred, or made, since the date of the last
15 report for the separate building fund account, including:

16 1. For each contribution of any amount made by a corporation, the name
17 and business address of the corporation, the date of the contribution, the
18 amount contributed, and a description of the major business conducted
19 by the corporation;

20 2. For other contributions in excess of one hundred dollars (\$100), the full
21 name and address of the contributor, the date of the contribution, the
22 amount of the contribution, and the employer and occupation of each
23 contributor. If the contributor is self-employed, the name under which he
24 or she is doing business shall be listed;

25 3. The total amount of cash contributions received during the reporting
26 period; and

27 4. A complete statement of expenditures authorized, incurred, or made.

1 The complete statement of expenditures shall include the name and
2 address of each person to whom an expenditure is made in excess of
3 twenty-five dollars (\$25), and the amount, date, and purpose of each
4 expenditure.

5 (c) The report required by paragraph (a) of this subsection shall be made on a
6 semiannual basis and shall be received by the registry by January 31 and by
7 July 31. The January report shall cover the period from July 1 to December
8 31. The July report shall cover the period from January 1 to June 30. If an
9 individual gives a reportable contribution to a caucus campaign committee or
10 to a state or county executive committee with the intention that the
11 contribution or a portion of the contribution go to a candidate or slate of
12 candidates, the name of the contributor and the sum shall be indicated on the
13 committee report. The report required by paragraph (b) of this subsection
14 relating to a state executive committee's building fund account shall be
15 received by the registry within two (2) business days after the close of each
16 calendar quarter. The receipts and expenditures of funds remitted to each
17 political party under KRS 141.071 to 141.073 shall be separately accounted
18 for and reported to the registry in the manner required by KRS 121.230. The
19 separate report may be made a separate section within the report required by
20 this subsection to be received by the registry by January 31.

21 (3) (a) Except for candidates or slates of candidates, campaign committees, or
22 political issues committees exempted from reporting requirements pursuant to
23 subsection (1) of this section, each campaign treasurer of a candidate, slate of
24 candidates, campaign committee, or political issues committee who accepts
25 contributions or expends, expects to accept contributions or expend, or
26 contracts to expend more than three thousand dollars (\$3,000) in any one (1)
27 election, and each fundraiser who secures contributions in excess of three

1 thousand dollars (\$3,000) in any one (1) election, shall make a full report to
2 the registry, on a form provided or using a format approved by the registry, of
3 all money, loans, or other things of value, received from any source, and
4 expenditures authorized, incurred, and made, since the date of the last report,
5 including:

6 1. For each contribution of any amount made by a permanent committee,
7 the name and business address of the permanent committee, the date of
8 the contribution, the amount contributed, and a description of the major
9 business, social, or political interest represented by the permanent
10 committee;

11 2. ~~For each contribution in excess of one hundred dollars (\$100) made to a~~
12 ~~candidate or slate of candidates for a statewide elected state office, or to~~
13 ~~a campaign committee for a candidate or slate of candidates for a~~
14 ~~statewide elected state office, the date, name, address, occupation, and~~
15 ~~employer of each contributor and the spouse of the contributor or, if the~~
16 ~~contributor or spouse of the contributor is self-employed, the name~~
17 ~~under which he or she is doing business, and the amount contributed by~~
18 ~~each contributor;~~

19 ~~3.]~~ For each contribution in excess of one hundred dollars (\$100) made to
20 any candidate or campaign committee ~~other than those specified in~~
21 ~~subparagraph 2. of this paragraph~~ or a political issues committee, the
22 full name, address, age if less than the legal voting age, the date of the
23 contribution, the amount of the contribution, and the employer and
24 occupation of each other contributor. If the contributor is self-employed,
25 the name under which he or she is doing business shall be listed;

26 ~~3. [4.]~~ The total amount of cash contributions received during the reporting
27 period; and

1 ~~4.15.~~ A complete statement of all expenditures authorized, incurred, or made.

2 The complete statement of expenditures shall include the name, address,
3 and occupation of each person to whom an expenditure is made in
4 excess of twenty-five dollars (\$25), and the amount, date, and purpose of
5 each expenditure.

6 (b) Reports of all candidates, slates of candidates, campaign committees, political
7 issues committees, and registered fundraisers shall be made as follows:

8 1. a. Candidates seeking statewide office~~[as defined in KRS~~
9 ~~421.015(8)]~~, slates of candidates, authorized campaign
10 committees for candidates seeking statewide office and for slates
11 of candidates,~~[Candidate authorized and]~~ unauthorized campaign
12 committees, political issues committees, and fundraisers which
13 register~~[in the year]~~ before the year of an election in which the
14 candidate, a slate of candidates, or public question shall appear on
15 the ballot, shall file financial reports with the registry at the end of
16 the first calendar quarter after persons become statewide
17 candidates or slates of candidates, or following registration of the
18 committee or fundraiser, and each calendar quarter thereafter,
19 ending with the last calendar quarter of that year. The provisions
20 of this subparagraph shall be retroactive to January 1, 2021~~[-~~
21 ~~Candidates, slates of candidates, Committees, and registered~~
22 ~~fundraisers shall make all reports required by this section during~~
23 ~~the year in which the election takes place];~~

24 b. All other candidates and candidate campaign committees shall
25 file annual financial reports to be received by the registry on or
26 before December 1 for each year that a candidate is not yet on
27 the ballot but has filed a Statement of Spending Intent and

1 *Appointment of Campaign Treasurer with the registry for a*
2 *future year election; and*
3 *c. Candidates, slate of candidates, or committees shall make all*
4 *reports required by subparagraphs 2. to 5. of this paragraph*
5 *during the year in which the election takes place;*

- 6 2. All candidates, slates of candidates, candidate-authorized and
7 unauthorized campaign committees, political issues committees, and
8 registered fundraisers shall make reports on the sixtieth day preceding a
9 regular election, including all previous contributions and expenditures;
- 10 3. All candidates, slates of candidates, candidate-authorized and
11 unauthorized campaign committees, political issues committees, and
12 registered fundraisers shall make reports on the thirtieth day preceding
13 an election, including all previous contributions and expenditures;
- 14 4. All candidates, slates of candidates, candidate-authorized and
15 unauthorized campaign committees, political issues committees, and
16 registered fundraisers shall make reports on the fifteenth day preceding
17 the date of the election; and
- 18 5. All reports to the registry shall cover campaign activity during the entire
19 reporting period and must be received by the registry within two (2)
20 business days after the date the reporting period ends to be deemed
21 timely filed.
- 22 (4) Except for candidates, slates of candidates, and political issues committees,
23 exempted pursuant to subsection (1)(a) of this section, all candidates, regardless of
24 funds received or expended, candidate-authorized and unauthorized campaign
25 committees, political issues committees, and registered fundraisers shall make post-
26 election reports within thirty (30) days after the election. All post-election reports to
27 the registry shall cover campaign activity during the entire reporting period and

1 must be received by the registry within two (2) business days after the date the
2 reporting period ends to be deemed timely filed.

- 3 (5) In making the preceding reports, the total gross receipts from each of the following
4 categories shall be listed: proceeds from the sale of tickets for events such as
5 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass
6 collections made at the events, and sales of items such as campaign pins, buttons,
7 hats, ties, literature, and similar materials. When any individual purchase or the
8 aggregate purchases of any item enumerated above from a candidate or slate of
9 candidates for a statewide-elected state office or a campaign committee for a
10 candidate or slate of candidates for a statewide-elected state office exceeds one
11 hundred dollars (\$100), the purchaser shall be identified by name, address, age, if
12 less than the legal voting age, occupation, and employer ~~and the employer of the~~
13 ~~spouse of the purchaser~~ or, if the purchaser ~~or the spouse of the purchaser~~ is self-
14 employed, the name under which he or she is doing business, and the amount of the
15 purchase. When any individual purchase or the aggregate purchases of any item
16 enumerated above from any candidate or campaign committee other than a
17 candidate or slate of candidates for a statewide-elected state office or campaign
18 committee for a candidate or slate of candidates for a statewide-elected state office
19 exceeds one hundred dollars (\$100), the purchaser shall be identified by name,
20 address, age if less than the legal voting age, occupation, and employer, or if the
21 purchaser is self-employed, the name under which he or she is doing business, and
22 the amount of the purchase. The lists shall be maintained by the campaign treasurer,
23 political issues committee treasurer, registered fundraiser, or other sponsor for
24 inspection by the registry for six (6) years following the date of the election.
- 25 (6) Each permanent committee, except a federally registered permanent committee,
26 inaugural committee, or contributing organization shall make a full report to the
27 registry, on a form provided or using a format approved by the registry, of all

1 money, loans, or other things of value, received by it from any source, and all
2 expenditures authorized, incurred, or made, since the date of the last report,
3 including:

- 4 (a) For each contribution of any amount made by a permanent committee, the
5 name and business address of the permanent committee, the date of the
6 contribution, the amount contributed, and a description of the major business,
7 social, or political interest represented by the permanent committee;
- 8 (b) For other contributions in excess of one hundred dollars (\$100), the full name,
9 address, age if under the legal voting age, the date of the contribution, the
10 amount of the contribution, and the employer and occupation of each
11 contributor. If the contributor is self-employed, the name under which he or
12 she is doing business shall be listed;
- 13 (c) An aggregate amount of cash contributions, the amount contributed by each
14 contributor, and the date of each contribution; and
- 15 (d) A complete statement of all expenditures authorized, incurred, or made,
16 including independent expenditures. This report shall be made by a permanent
17 committee, inaugural committee, or contributing organization to the registry
18 on the last day of the first calendar quarter following the registration of the
19 committee with the registry and on the last day of each succeeding calendar
20 quarter until such time as the committee terminates. A contributing
21 organization shall file a report of contributions received and expenditures on a
22 form provided or using a format approved by the registry not later than the last
23 day of each calendar quarter in which contributions are received or
24 expenditures are made. All reports to the registry shall be received on or
25 before each filing deadline, and any report received by the registry within two
26 (2) business days after each filing deadline shall be deemed timely filed.
- 27 (7) If the final statement of a candidate, campaign committee, or political issues

1 committee shows an unexpended balance of contributions, continuing debts and
2 obligations, or an expenditure deficit, the campaign treasurer shall file with the
3 registry a supplemental statement of contributions and expenditures not more than
4 thirty (30) days after the deadline for filing the final statement. Subsequent
5 supplemental statements shall be filed annually, to be received by the registry by
6 December 1 of each year, until the account shows no unexpended balance,
7 continuing debts and obligations, expenditures, or deficit~~, or until the year before~~
8 ~~the candidate or a slate of candidates seeks to appear on the ballot for the same~~
9 ~~office for which the funds in the campaign account were originally contributed, in~~
10 ~~which case the candidate or a slate of candidates shall file the supplemental annual~~
11 ~~report by December 1 of that year or at the end of the first calendar quarter of that~~
12 ~~year after the candidate or slate of candidates files nomination papers for the next~~
13 ~~year's primary or regular election]. All post-election reports to the registry shall~~
14 cover campaign activity during the entire reporting period and must be received by
15 the registry within two (2) business days after the date the reporting period ends to
16 be deemed timely filed. All contributions shall be subject to KRS 121.150 as of the
17 date of the election in which the candidate appeared on the ballot.

18 (8) All reports filed under the provisions of this chapter shall be a matter of public
19 record open to inspection by any member of the public immediately upon receipt of
20 the report by the registry.

21 (9) A candidate or slate of candidates is relieved of the duty personally to file reports
22 and keep records of receipts and expenditures if the candidate or slate states in
23 writing or on forms provided by the registry that:

24 (a) Within five (5) business days after personally receiving any contributions, the
25 candidate or slate of candidates shall surrender possession of the contributions
26 to the treasurer of their principal campaign committee without expending any
27 of the proceeds thereof. No contributions shall be commingled with the

1 candidate's or slated candidates' personal funds or accounts. Contributions
 2 received by check, money order, or other written instrument shall be endorsed
 3 directly to the campaign committee and shall not be cashed or redeemed by
 4 the candidate;

5 (b) The candidate or slate of candidates shall not make any unreimbursed
 6 expenditure for the campaign, except that this paragraph does not preclude a
 7 candidate or slate from making an expenditure from personal funds to the
 8 designated principal campaign committee, which shall be reported by the
 9 committee as a contribution received; and

10 (c) The waiver shall continue in effect as long as the candidate or slate of
 11 candidates complies with the conditions under which it was granted.

12 (10) (a) No candidate, slate of candidates, campaign committee, political issues
 13 committee, or contributing organization shall use or permit the use of
 14 contributions or funds solicited or received for the person or in support of or
 15 opposition to a public issue which will appear on the ballot to:

16 1. Further the candidacy of the person for a different public office; ~~or to~~

17 2. Support or oppose a different public issue; ~~or to~~

18 3. Further the candidacy of any other person for public office; ~~except that~~

19 (b) Nothing in this subsection shall be deemed to prohibit a candidate or slate of
 20 candidates from using funds in a~~the~~ campaign account to purchase
 21 admission tickets for, or contribute to, any fundraising event or testimonial
 22 affair for another candidate or slate of candidates if the amount of the
 23 purchase or contribution does not exceed two hundred dollars (\$200) per
 24 event or affair.

25 (c) Any funds or contributions solicited or received by or on behalf of a
 26 candidate, slate of candidates, or any committee, which has been organized in
 27 whole or in part to further any candidacy for the same person or to support or

1 oppose the same public issue, shall be deemed to have been solicited or
 2 received for the current candidacy or for the election on the public issue if the
 3 funds or contributions are solicited or received at any time prior to the regular
 4 election for which the candidate, slate of candidates, or public issue is on the
 5 ballot.

6 **(d)** Any unexpended balance of funds not otherwise obligated for the payment of
 7 expenses incurred to further a political issue or the candidacy of a person
 8 shall, in whole or in part, at the election of the candidate or committee:~~;~~

9 **1.** Escheat to the State Treasury;~~;~~

10 **2.** Be returned pro rata to all contributors;~~;~~ ~~or;~~

11 **3.** In the case of a partisan candidate, be transferred to:

12 **a.** A caucus campaign committee;~~;~~ or ~~to~~

13 **b.** The state or county executive committee of the political party of
 14 which the candidate is a member;~~;~~ ~~except that a candidate,~~
 15 ~~committee, or an official may~~

16 **4.** ***Be retained***~~[retain the funds]~~ to further the same public issue or to seek
 17 election to the same office; or

18 **5.** ***Be donated***~~[may donate the funds]~~ to any charitable, nonprofit, or
 19 educational institution recognized under Section 501(c)(3) of the United
 20 States Internal Revenue Code of 1986, as amended, and any successor
 21 thereto.

22 (11) If adequate and appropriate agency funds are available to implement this subsection,
 23 electronic reporting shall be made available by the registry to all candidates, slates
 24 of candidates, committees, contributing organizations, registered fundraisers, and
 25 persons making independent expenditures. The electronic report submitted to the
 26 registry shall be the official campaign finance report for audit and other legal
 27 purposes, whether mandated or filed by choice.

1 (12) ~~{Filers not required to file reports electronically, as set forth in this section, are~~
2 ~~strongly encouraged to do so voluntarily.~~

3 ~~(13) {The date that an electronic or on-line report shall be deemed to have been filed~~
4 ~~with the registry shall be the date on which it is received by the registry.~~

5 ~~(13){(14)}~~ All electronic or online filers shall affirm, under penalty of perjury, that the
6 report filed with the registry is complete and accurate.

7 ~~(14){(15)}~~ Filers who submit electronic campaign finance reports which are not readable,
8 or cannot be copied~~, or are not accompanied by any requisite paper copy~~ shall be
9 deemed to not be in compliance with the requirements set forth in this section.

10 ~~(15){(16)}~~ Beginning with the primary scheduled in calendar year 2020, and for each
11 subsequent election scheduled thereafter, reports required to be submitted to the
12 registry involving candidates, slates of candidates, committees, contributing
13 organizations, and independent expenditures shall be reported electronically.

14 ~~(16){(17)}~~ (a) On each ~~paper and electronic~~ form that the registry supplies for the
15 reports required under subsections (2), (3), and (6) of this section, the registry
16 shall include an entry reading, "No change since last report."

17 (b) If a person or entity that is required to report under subsection (2), (3), or (6)
18 of this section has received no money, loans, or other things of value from any
19 source since the date of its last report and has not authorized, incurred, or
20 made any expenditures since that date, the person or entity may check or
21 otherwise designate the entry that reads, "No change since last report." A
22 person or entity designating this entry in a report shall state the balance carried
23 forward from the last report but need not specify receipts or expenditures in
24 further detail.

25 ➔Section 4. KRS 6.767 is amended to read as follows:

26 (1) For purposes of this section, "accept" means the date a contribution is postmarked,
27 if mailed, or the date of the hand delivery, if the contribution is hand-delivered.

- 1 (2) A member of the General Assembly, candidate for the General Assembly, or his or
2 her campaign committee shall not accept a campaign contribution from a legislative
3 agent. Violation of this provision is ethical misconduct.
- 4 (3) A member of the General Assembly, candidate for the General Assembly, or his or
5 her campaign committee shall not, during a regular session of the General
6 Assembly, accept a campaign contribution from an employer of a legislative agent,
7 or from a permanent committee as defined in KRS 121.015. **Violation of this**
8 **provision is ethical misconduct.** This subsection shall not apply to:
9 **(a)** Candidates for the General Assembly in a special election held during a
10 regular session of the General Assembly; **or**
11 **(b)** **A member of the General Assembly who is a candidate, as defined in**
12 **Section 1 of this Act, contemporaneously seeking election for a statewide**
13 **office**~~[-Violation of this provision is ethical misconduct].~~
- 14 (4) It shall be a complete defense under this section if the legislator, candidate, or his or
15 her campaign committee receives a campaign contribution from a legislative agent
16 or, during a regular session, from an employer or from a permanent committee,
17 which fact is unknown to the legislator, candidate, or committee at the time of
18 receipt, if the legislator, candidate, or his or her campaign committee either returns
19 the contribution within thirty (30) days of receipt, and within fourteen (14)
20 additional days makes that fact, together with the name of the contributor, amount
21 of the contribution, and the date of return or payment known, in writing to the
22 commission. It shall also be a defense if a legislator, candidate, or his or her
23 campaign committee receives a campaign contribution from a legislative agent
24 whose name does not yet appear on the list of legislative agents and their employers
25 furnished to the Legislative Research Commission if the legislator, candidate, or his
26 or her campaign committee returns the campaign contribution within thirty (30)
27 days of the Legislative Research Commission's receipt of the list bearing the name

1 of the legislative agent and all employers and makes the written disclosure to the
2 commission required in this subsection. The time periods shall be tolled upon the
3 filing with the commission of a request for an advisory opinion regarding the
4 campaign contribution. Upon the issuance of the opinion or decision not to render
5 an opinion, the time period shall resume.

6 ➔Section 5. KRS 121.175 is amended to read as follows:

- 7 (1) No candidate, committee, or contributing organization shall permit funds in a
8 campaign account to be expended for any purpose other than for allowable
9 campaign expenditures. "Allowable campaign expenditures" means expenditures
10 including reimbursement for actual expenses, made directly and primarily in
11 support of or opposition to a candidate, constitutional amendment, or public
12 question which will appear on the ballot and includes, but is not limited to,
13 expenditures for staff salaries, gifts and meals for volunteer campaign workers, food
14 and beverages provided at a campaign rally, advertising, office space, necessary
15 travel if reported, campaign paraphernalia, purchases of advertisements in athletic
16 and scholastic publications, communications with constituents or prospective
17 voters, polling and consulting, printing, graphic arts, or advertising services,
18 postage, office supplies, stationery, newsletters, and equipment which is used
19 primarily for the administration of the campaign. "Allowable campaign
20 expenditures" does not include necessary travel unless reported, expenditures of
21 funds in a campaign account for any purpose made unlawful by other provisions of
22 the Kentucky Revised Statutes or which would bestow a private pecuniary benefit,
23 except for payment of the reasonable value of goods and services provided upon a
24 candidate, member of the candidate's family, committee, or contributing
25 organization, or any of their employees, paid or unpaid, including: tickets to an
26 event which is unrelated to a political campaign or candidacy; items of personal
27 property for distribution to prospective voters except items bearing the name,

1 likeness, or logo of a candidate or a campaign-related communication; expenditures
2 to promote or oppose a candidacy for a leadership position in a governmental,
3 professional, or political organization, or other entity; and equipment or appliances
4 the primary use of which is for purposes outside of the campaign. The provisions of
5 KRS 121.190 notwithstanding, a candidate shall not be required to include a
6 disclaimer on campaign stationery purchased with funds from his campaign
7 account. A member of the General Assembly may utilize funds in his or her
8 campaign account to contribute up to five thousand dollars (\$5,000) per year
9 ~~to purchase admission tickets for political party functions and caucus campaign~~
10 ~~committee functions, to purchase items with a value of not in excess of one hundred~~
11 ~~dollars (\$100) for donation to a political party or caucus campaign committee for~~
12 ~~auctions and fundraisers, and to participate in or support other events sponsored by~~
13 a political party or caucus campaign committee. A member of the General
14 Assembly may make allowable campaign expenditures in both election years and
15 nonelection years.

16 (2) By December 31, 1993, the registry shall promulgate administrative regulations to
17 implement and enforce the provisions of subsection (1).

18 (3) In lieu of the penalties provided in KRS 121.140 and 121.990 for a violation of this
19 section, the registry may, after hearing:

20 (a) For a violation which was not committed knowingly, order the violator to
21 repay the amount of campaign funds which were expended for other than
22 allowable campaign expenditures, and if not repaid within thirty (30) days,
23 may impose a fine of up to one hundred dollars (\$100) for each day the
24 amount is not repaid, up to a maximum fine of one thousand dollars (\$1,000);
25 and

26 (b) For a violation which was committed knowingly, in addition to referring the
27 matter for criminal prosecution, order the violator to repay the amount of

1 campaign funds which were expended for other than allowable campaign
2 expenditures, and if not repaid within thirty (30) days, may impose a fine of
3 up to one hundred dollars (\$100) for each day the amount is not repaid, up to a
4 maximum fine of one thousand dollars (\$1,000).

5 ➔Section 6. KRS 121.120 is amended to read as follows:

- 6 (1) The registry may:
- 7 (a) Require by special or general orders, any person to submit, under oath, any
8 written reports and answers to questions as the registry may prescribe;
 - 9 (b) Administer oaths or affirmations;
 - 10 (c) Require by subpoena, signed by the chair, the attendance and testimony of
11 witnesses and the production of all documentary evidence, excluding
12 individual and business income tax records, relating to the execution of its
13 duties;
 - 14 (d) In any proceeding or investigation, to order testimony to be taken by
15 deposition before any person who is designated by the registry and has the
16 power to administer oaths and, in those instances, to compel testimony and the
17 production of evidence in the same manner as authorized under paragraph (c)
18 of this subsection;
 - 19 (e) Initiate, through civil actions for injunctive, declaratory, or other appropriate
20 relief, defend, or appeal any civil action in the name of the registry to enforce
21 the provisions of this chapter through its legal counsel;
 - 22 (f) Render advisory opinions under KRS 121.135;
 - 23 (g) Promulgate administrative regulations necessary to carry out the provisions of
24 this chapter;
 - 25 (h) Conduct investigations and hearings expeditiously, to encourage voluntary
26 compliance, and report apparent campaign finance law violations to the
27 appropriate law enforcement authorities;

- 1 (i) Petition any court of competent jurisdiction to issue an order requiring
2 compliance with an order or subpoena issued by the registry. Any failure to
3 obey the order of the court may be punished by the court as contempt; and
- 4 (j) Conduct random audits of receipts and expenditures of committees which
5 have filed registration papers with the registry pursuant to KRS 121.170.
- 6 (2) No person shall be subject to civil liability to any person other than the registry or
7 the Commonwealth for disclosing information at the request of the registry.
- 8 (3) The registry may appoint a full-time executive director, legal counsel, and an
9 accountant for auditing purposes, all of whom shall serve at the pleasure of the
10 registry. The registry may also appoint such other employees as are necessary to
11 carry out the purposes of this chapter. All requests for personnel appointments shall
12 be forwarded by the registry directly to the secretary of the Personnel Cabinet and
13 shall be subject to the secretary's review and certification only.
- 14 (4) The registry shall adopt official forms and perform other duties necessary to
15 implement the provisions of this chapter. The registry shall not require the listing of
16 a person's Social Security number on any form developed by the registry. Without
17 limiting the generality of the foregoing, the registry shall:
- 18 (a) Develop prescribed forms for the making of the required reports;
- 19 (b) Prepare and publish a manual for all candidates, slates of candidates,
20 contributing organizations, and committees, describing the requirements of the
21 law, including uniform methods of bookkeeping and reporting, requirements
22 as to reporting dates, and the length of time that candidates, slates of
23 candidates, contributing organizations, and committees are required to keep
24 any records pursuant to the provisions of this chapter;
- 25 (c) Develop a filing, coding, and cross-indexing system;
- 26 (d) Make each report filed available for public inspection and copying during
27 regular office hours at the expense of any person requesting copies of them;

- 1 (e) Preserve all reports for at least six (6) years from the date of receipt. Duly
2 certified reports shall be admissible as evidence in any court in the
3 Commonwealth;
- 4 (f) Prepare and make available for public inspection a summary of all reports
5 grouped according to candidates, slates of candidates, committees,
6 contributing organizations, and parties containing the total receipts and
7 expenditures; and
- 8 1. For each contribution made by a permanent committee of any amount to
9 a candidate or slate of candidates, the date, name, and business address
10 of the permanent committee, the amount contributed, and a description
11 of the major business, social, or political interest represented by the
12 permanent committee; and
- 13 2. ~~For each contribution in excess of one hundred dollars (\$100) made to a~~
14 ~~candidate or slate of candidates for a statewide elected state office, or to~~
15 ~~a campaign committee for a candidate or slate of candidates for a~~
16 ~~statewide elected state office, the date, name, address, occupation, and~~
17 ~~employer of each contributor and the spouse of the contributor or, if the~~
18 ~~contributor or spouse of the contributor is self-employed, the name~~
19 ~~under which the contributor is doing business, and the amount~~
20 ~~contributed by each contributor, listed alphabetically; and~~
- 21 3. For each contribution in excess of one hundred dollars (\$100) made to
22 any candidate or campaign committee ~~other than those specified in~~
23 ~~subparagraph 2.~~, the date, name, address, occupation, and employer of
24 each other contributor or, if the contributor is self-employed, the name
25 under which the contributor is doing business, and the amount
26 contributed by each contributor, listed alphabetically;
- 27 (g) Prepare and publish an annual report with cumulative compilations named in

- 1 paragraph (f) of this subsection;
- 2 (h) Distribute upon request, for a nominal fee, copies of all summaries and
3 reports;
- 4 (i) Determine whether the required reports have been filed and if so, whether they
5 conform with the requirements of this chapter; give notice to delinquents to
6 correct or explain defections; issue an order, if appropriate, as provided in
7 KRS 121.140; and make public the fact that a violation has occurred and the
8 nature thereof;
- 9 (j) Conduct random audits of receipts and expenditures of candidates running for
10 city, county, urban-county government, charter county government,
11 consolidated local government, unified local government, and district offices.
12 When the registry audits the records of any selected candidate, it shall also
13 audit the records of all other candidates running for the same office in the
14 selected city, county, urban-county government, charter county government,
15 consolidated local government, unified local government, or district office;
- 16 (k) Conduct audits of receipts and expenditures of all candidates or slates of
17 candidates running for statewide office;
- 18 (l) Require that candidates and slates of candidates shall maintain their records
19 for a period of six (6) years from the date of the regular election in their
20 respective political races;
- 21 (m) Initiate investigations and make investigations with respect to reports upon
22 complaint by any person and initiate proceedings on its own motion; and
- 23 (n) Forward to the Attorney General or the appropriate Commonwealth's or
24 county attorney any violations of this chapter which may become the subject
25 of civil or criminal prosecution.
- 26 (5) All policy and enforcement decisions concerning the regulation of campaign finance
27 shall be the ultimate responsibility of the registry. No appointed or elected state

1 officeholder or any other person shall, directly or indirectly, attempt to secure or
2 create privileges, exemptions, or advantages for himself, herself, or others in
3 derogation of the public interest at large in a manner that seeks to leave any registry
4 member or employee charged with the enforcement of the campaign finance laws
5 no alternative but to comply with the wishes of the officeholder or person. Registry
6 members and employees shall be free of obligation or the appearance of obligation
7 to any interest other than the fair and efficient enforcement of the campaign finance
8 laws and administrative regulations. It shall not be considered a violation of this
9 subsection for an officeholder or other person to seek remedies in a court of law to
10 any policy or enforcement decision he or she considers to be an abridgement of his
11 or her legal rights.

- 12 (6) If adequate and appropriate agency funds are available, the registry shall:
- 13 (a) Develop or acquire a system for electronic reporting for use by individuals and
14 entities required to file campaign finance reports with the registry under this
15 chapter. The registry shall promulgate administrative regulations under KRS
16 Chapter 13A which provide for a nonproprietary standardized format or
17 formats, using industry standards, for the transmission of data required under
18 this chapter;
- 19 (b) Accept test files from software vendors and persons wishing to file reports
20 electronically for the purpose of determining whether the file format complies
21 with the nonproprietary standardized format developed under paragraph (a) of
22 this subsection and is compatible with the registry's system for receiving the
23 data;
- 24 (c) Make all reports filed with the registry pertaining to candidates for the General
25 Assembly and statewide office available on the Internet free of charge, in an
26 easily understood format that allows the public to browse, search, and
27 download the data contained in the reports by each of the reporting categories

- 1 required by this chapter, including but not limited to:
- 2 1. The name of each candidate or committee;
 - 3 2. The office sought by each candidate;
 - 4 3. The name of each contributor;
 - 5 4. The address of each contributor;
 - 6 5. The employer or business occupation of each contributor, or if the
 - 7 contributor is a permanent committee, a description of the major
 - 8 business, social, or political interest represented by the permanent
 - 9 committee;
 - 10 6. The date of each contribution; and
 - 11 7. The amount of each contribution;
- 12 (d) Make all data specified in paragraph (c) of this subsection available on the
- 13 Internet no later than ten (10) business days after its receipt by the registry. If a
- 14 contribution or expenditure report is filed late with the registry, that data shall
- 15 be made available on the Internet within twenty-four (24) hours of the
- 16 registry's receipt of the data;
- 17 (e) Make filer-side software available free of charge to all individuals or entities
- 18 subject to the reporting requirements of this chapter;
- 19 (f) Establish a training program on the electronic reporting program and make it
- 20 available free of charge to all individuals and entities subject to the reporting
- 21 requirements of this chapter;
- 22 (g) Maintain all campaign finance data pertaining to legislative and statewide
- 23 candidates on-line for twenty (20) years after the date the report containing the
- 24 data is filed, and then archive the data in a secure format;
- 25 (h) Require candidates and slates of candidates running for statewide office, and
- 26 campaign committees of candidates and slates of candidates registered to run
- 27 for statewide office, beginning with elections scheduled in 2015, to

1 electronically report all campaign finance reports that must be submitted to the
2 registry under this chapter. If any statewide candidate, slate of candidates, or
3 campaign committee of a statewide candidate or slate of candidates submits a
4 campaign finance report in a nonelectronic format for an election scheduled in
5 2015 or later, the registry shall require the statewide candidate, slate of
6 candidates, or campaign committee of the statewide candidate or slate of
7 candidates to resubmit the campaign finance report in an electronic format;

8 (i) Require all candidates, slates of candidates, committees, and contributing
9 organizations, beginning with the primary scheduled in 2020, and for each
10 subsequent election scheduled thereafter, to electronically report all campaign
11 finance reports required to be submitted to the registry under this chapter. If
12 any candidate, slate of candidates, committee, or contributing organization
13 submits a campaign finance report to the registry in a nonelectronic format for
14 an election or calendar period beginning in 2020 or later, the registry shall
15 require the candidate, slate of candidates, committee, or contributing
16 organization to resubmit the campaign finance report in an electronic format.
17 If any candidate, slate of candidates, committee, or contributing organization
18 does not submit the required campaign finance reports electronically by the
19 applicable filing deadline, the registry shall publish the candidate, slate of
20 candidates, committee, or contributing organization's name as a delinquent
21 filer until such time as the campaign finance report is properly filed in an
22 electronic format; and

23 (j) Require all independent expenditure reports to be submitted electronically
24 within forty-eight (48) hours of the date that the communication is publicly
25 distributed or otherwise publicly disseminated, beginning with the primary
26 scheduled in 2020, and for each subsequent election scheduled thereafter.

27 (7) In conjunction with the program of electronic reporting set out in subsection (6) of

1 this section, the registry shall deem an electronic report to be filed when submitted
2 by either of the following methods:

- 3 (a) Online Internet transmission; or
- 4 (b) Hand delivery of the electronic report, saved on a current and compatible
5 computer component, and downloaded at the registry.

6 ➔Section 7. KRS 121.220 is amended to read as follows:

7 (1) Each candidate, slate of candidates, and each committee shall, before receiving any
8 contributions or expending any money, designate one (1) primary campaign
9 depository for the purpose of depositing all contributions received and disbursing all
10 expenditures made by the candidate, slate of candidates, or committee. The
11 candidate, slate of candidates, or committee may also designate one (1) secondary
12 depository in each county in which an election is held and in which the candidate,
13 slate of candidates, or committee participates. Deputy campaign treasurers may
14 make expenditures from secondary depositories but only from moneys which first
15 have been deposited in the primary campaign depository. Only a financial
16 institution authorized to transact business in Kentucky may be designated as a
17 campaign depository. The candidate, slate of candidates, or committee shall file the
18 name and address of each primary and secondary depository so designated at the
19 same time the candidate, slate of candidates, or committee files the name of his or
20 its campaign treasurer.

21 (2) All funds received by the campaign treasurer or any deputy campaign treasurer of
22 any candidate, slate of candidates, or committee shall be deposited in a campaign
23 depository in an account designated "Campaign Fund of (name of candidate or
24 committee)." For each deposit, the campaign treasurer or deputy campaign treasurer
25 shall retain a statement showing the name and business address of the permanent
26 committee, the amount contributed, and a description of the major business, social,
27 or political interest represented by the permanent committee for each contribution of

1 any amount made by a permanent committee, and the full name, address, employer
2 of each other contributor~~[and the spouse of the contributor]~~ or, if the contributor~~[or~~
3 ~~spouse of the contributor]~~ is self-employed, the name under which he is doing
4 business, and occupation of each contributor of more than one hundred dollars
5 (\$100) and the amount contributed. Cash contributions shall be accompanied by the
6 same receipt form.

7 ➔Section 8. Whereas, it is critically important to protect the integrity and
8 reliability of the electoral process in order to safeguard the fundamental right to vote, and
9 it is a reasonable legislative task to seek improvement, modernization, and transparency
10 in campaign finance and election procedures without undue delay in notice to the people
11 of the Commonwealth and its election officials tasked with administering the election
12 laws within this state, an emergency is declared to exist, and this Act takes effect upon its
13 passage and approval by the Governor or upon its otherwise becoming a law.