

1 AN ACT relating to campaign finance.

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

3 ➔Section 1. KRS 121.120 is amended to read as follows:

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

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

- 1 Commonwealth;
- 2 (f) Prepare and make available for public inspection a summary of all reports  
3 grouped according to candidates, slates of candidates, committees,  
4 contributing organizations, and parties containing the total receipts and  
5 expenditures; and
- 6 1. For each contribution made by a permanent committee of any amount to  
7 a candidate or slate of candidates, the date, name, and business address  
8 of the permanent committee, the amount contributed, and a description  
9 of the major business, social, or political interest represented by the  
10 permanent committee; and
- 11 2. For each contribution in excess of one hundred dollars (\$100) made to  
12 any candidate or campaign committee, the date, name, address,  
13 occupation, and employer of each other contributor or, if the contributor  
14 is self-employed, the name under which the contributor is doing  
15 business, and the amount contributed by each contributor, listed  
16 alphabetically;
- 17 (g) Prepare and publish an annual report with cumulative compilations named in  
18 paragraph (f) of this subsection;
- 19 (h) Distribute upon request, for a nominal fee, copies of all summaries and  
20 reports;
- 21 (i) Determine whether the required reports have been filed and if so, whether  
22 they conform with the requirements of this chapter; give notice to delinquents  
23 to correct or explain defections; issue an order, if appropriate, as provided in  
24 KRS 121.140; and make public the fact that a violation has occurred and the  
25 nature thereof;
- 26 (j) Conduct random audits of receipts and expenditures of candidates running for  
27 city, county, urban-county government, charter county government,

- 1 consolidated local government, unified local government, and district offices.  
2 When the registry audits the records of any selected candidate, it shall also  
3 audit the records of all other candidates running for the same office in the  
4 selected city, county, urban-county government, charter county government,  
5 consolidated local government, unified local government, or district office;
- 6 (k) Conduct audits of receipts and expenditures of all candidates or slates of  
7 candidates running for statewide office;
- 8 (l) Require that candidates and slates of candidates shall maintain their records  
9 for a period of six (6) years from the date of the regular election in their  
10 respective political races;
- 11 (m) Initiate investigations and make investigations with respect to reports upon  
12 complaint by any person and initiate proceedings on its own motion; and
- 13 (n) Forward to the Attorney General or the appropriate Commonwealth's or  
14 county attorney any violations of this chapter which may become the subject  
15 of civil or criminal prosecution.
- 16 (5) All policy and enforcement decisions concerning the regulation of campaign  
17 finance shall be the ultimate responsibility of the registry. No appointed or elected  
18 state officeholder or any other person shall, directly or indirectly, attempt to secure  
19 or create privileges, exemptions, or advantages for himself, herself, or others in  
20 derogation of the public interest at large in a manner that seeks to leave any registry  
21 member or employee charged with the enforcement of the campaign finance laws  
22 no alternative but to comply with the wishes of the officeholder or person. Registry  
23 members and employees shall be free of obligation or the appearance of obligation  
24 to any interest other than the fair and efficient enforcement of the campaign finance  
25 laws and administrative regulations. It shall not be considered a violation of this  
26 subsection for an officeholder or other person to seek remedies in a court of law to  
27 any policy or enforcement decision he or she considers to be an abridgement of his

1 or her legal rights.

2 (6) If adequate and appropriate agency funds are available, the registry shall:

3 (a) Develop or acquire a system for electronic reporting for use by individuals  
4 and entities required to file campaign finance reports with the registry under  
5 this chapter. The registry shall promulgate administrative regulations under  
6 KRS Chapter 13A which provide for a nonproprietary standardized format or  
7 formats, using industry standards, for the transmission of data required under  
8 this chapter;

9 (b) Accept test files from software vendors and persons wishing to file reports  
10 electronically for the purpose of determining whether the file format complies  
11 with the nonproprietary standardized format developed under paragraph (a) of  
12 this subsection and is compatible with the registry's system for receiving the  
13 data;

14 (c) Make all reports filed with the registry pertaining to candidates for the  
15 General Assembly and statewide office available on the Internet free of  
16 charge, in an easily understood format that allows the public to browse,  
17 search, and download the data contained in the reports by each of the  
18 reporting categories required by this chapter, including but not limited to:

- 19 1. The name of each candidate or committee;
- 20 2. The office sought by each candidate;
- 21 3. The name of each contributor;
- 22 4. The address of each contributor;
- 23 5. The employer or business occupation of each contributor, or if the  
24 contributor is a permanent committee, a description of the major  
25 business, social, or political interest represented by the permanent  
26 committee;
- 27 6. The date of each contribution; and

- 1           7.    The amount of each contribution;
- 2           (d)    Make all data specified in paragraph (c) of this subsection available on the
- 3           Internet no later than ten (10) business days after its receipt by the registry. If
- 4           a contribution or expenditure report is filed late with the registry, that data
- 5           shall be made available on the Internet within twenty-four (24) hours of the
- 6           registry's receipt of the data;
- 7           (e)    Make filer-side software available free of charge to all individuals or entities
- 8           subject to the reporting requirements of this chapter;
- 9           (f)    Establish a training program on the electronic reporting program and make it
- 10          available free of charge to all individuals and entities subject to the reporting
- 11          requirements of this chapter;
- 12          (g)    Maintain all campaign finance data pertaining to legislative and statewide
- 13          candidates on-line for twenty (20) years after the date the report containing
- 14          the data is filed, and then archive the data in a secure format; ***and***
- 15          (h)    Require candidates and slates of candidates running for statewide office, and
- 16          campaign committees of candidates and slates of candidates registered to run
- 17          for statewide office, beginning with elections scheduled in 2015, to
- 18          electronically report all campaign finance reports that must be submitted to
- 19          the registry under this chapter. If any statewide candidate, slate of candidates,
- 20          or campaign committee of a statewide candidate or slate of candidates submits
- 21          a campaign finance report in a nonelectronic format for an election scheduled
- 22          in 2015 or later, the registry shall require the statewide candidate, slate of
- 23          candidates, or campaign committee of the statewide candidate or slate of
- 24          candidates to resubmit the campaign finance report in an electronic format;
- 25          ~~(i)    Require all candidates, slates of candidates, committees, and contributing~~
- 26          ~~organizations, beginning with the primary scheduled in 2020, and for each~~
- 27          ~~subsequent election scheduled thereafter, to electronically report all campaign~~

1 ~~finance reports required to be submitted to the registry under this chapter. If~~  
2 ~~any candidate, slate of candidates, committee, or contributing organization~~  
3 ~~submits a campaign finance report to the registry in a nonelectronic format for~~  
4 ~~an election or calendar period beginning in 2020 or later, the registry shall~~  
5 ~~require the candidate, slate of candidates, committee, or contributing~~  
6 ~~organization to resubmit the campaign finance report in an electronic format.~~  
7 ~~If any candidate, slate of candidates, committee, or contributing organization~~  
8 ~~does not submit the required campaign finance reports electronically by the~~  
9 ~~applicable filing deadline, the registry shall publish the candidate, slate of~~  
10 ~~candidates, committee, or contributing organization's name as a delinquent~~  
11 ~~filer until such time as the campaign finance report is properly filed in an~~  
12 ~~electronic format; and~~

13 ~~(j) Require all independent expenditure reports to be submitted electronically~~  
14 ~~within forty eight (48) hours of the date that the communication is publicly~~  
15 ~~distributed or otherwise publicly disseminated, beginning with the primary~~  
16 ~~scheduled in 2020, and for each subsequent election scheduled thereafter].~~

17 (7) In conjunction with the program of electronic reporting set out in subsection (6) of  
18 this section, the registry shall deem an electronic report to be filed when submitted  
19 by either of the following methods:

20 (a) Online Internet transmission; or

21 (b) Hand delivery of the electronic report, saved on a current and compatible  
22 computer component, and downloaded at the registry.

23 ➔Section 2. KRS 121.180 is amended to read as follows:

24 (1) (a) Any candidate, slate of candidates, or political issues committee shall be  
25 exempt from filing any campaign finance reports required by subsections (3)  
26 and (4) of this section if the candidate, slate of candidates, or political issues  
27 committee chair files a form prescribed and furnished by the registry stating

1           that currently no contributions have been received and that contributions will  
2           not be accepted or expended in excess of three thousand dollars (\$3,000) in  
3           any one (1) election. A separate form shall be required for each primary,  
4           regular, or special election in which the candidate or slate of candidates  
5           participates or in which the public question appears on the ballot. The form  
6           shall be submitted by means of electronic filing with the registry.

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

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



1           than the deadline for filing a revocation.

2           2. A candidate or slate of candidates that is exempted from campaign  
3           finance reporting requirements pursuant to paragraph (a) of this  
4           subsection but who accepts contributions or makes expenditures in  
5           excess of the exempted amount in an election, shall file all applicable  
6           reports required for the remainder of that election, based upon the  
7           amount of contributions or expenditures the candidate or slate of  
8           candidates accepts or receives in that election.

9           (d) Any candidate or slate of candidates that is subject to a June or August filing  
10          deadline and that intends to execute a request for exemption shall file the  
11          appropriate request for exemption not later than the filing deadline and, except  
12          as provided in subparagraph 2. of paragraph (c) of this subsection, shall be  
13          bound by its terms unless it is rescinded in writing not later than sixty (60)  
14          days preceding the regular election. A candidate or slate of candidates that is  
15          covered by this paragraph shall have the same reversion rights as those  
16          provided in subparagraph 1. of paragraph (c) of this subsection.

17          (e) Any candidate or slate of candidates that will appear on the ballot in a regular  
18          election that has signed a request for exemption for that election may exercise  
19          the reversion rights provided in subparagraph 1. of paragraph (c) of this  
20          subsection if a candidate or slate of candidates that is subject to a June or  
21          August filing deadline subsequently files in opposition to the candidate or  
22          slate of candidates. Except as provided in subparagraph 2. of paragraph (c) of  
23          this subsection, a candidate or slate of candidates covered by this paragraph  
24          shall comply with the deadline for rescission provided in subparagraph 1. of  
25          paragraph (c) of this subsection.

26          (f) Except as provided in subparagraph 2. of paragraph (c) of this subsection, any  
27          candidate or slate of candidates that has filed a request for exemption for a

1 regular election that later is opposed by a person who has filed a declaration  
2 of intent to receive write-in votes may rescind the request for exemption and  
3 exercise the reversion rights provided in subparagraph 1. of paragraph (c) of  
4 this subsection.

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

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

21 (i) A person intending to be a write-in candidate for any office in a regular or  
22 special election may execute a request for exemption under paragraph (a) of  
23 this subsection and shall be bound by its terms unless it is rescinded in writing  
24 not later than fifteen (15) days preceding the regular or special election. A  
25 person intending to be a write-in candidate who revokes a request for  
26 exemption in a timely manner shall file all reports required of a candidate  
27 intending to raise or spend in excess of three thousand dollars (\$3,000) in an

1 election. Except as provided in subparagraph 2. of paragraph (c) of this  
2 subsection, a person intending to be a write-in candidate who revokes a  
3 request for exemption shall file the appropriate form with the registry.

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

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

19 2. Except as provided in subparagraph 2. of paragraph (c) of this  
20 subsection, a candidate, slate of candidates, campaign committee, or  
21 political issues committee that is exempt from filing campaign finance  
22 reports pursuant to paragraph (a), (d), or (i) of this subsection that  
23 knowingly accepts contributions or makes expenditures in excess of the  
24 applicable spending limit in any one (1) election without rescinding the  
25 request for exemption in a timely manner shall comply with all  
26 applicable reporting requirements and shall be guilty of a Class D  
27 felony.

- 1           (1) 1. Any candidate exempt from filing under this subsection for a primary  
2                               shall file a report described in subsection (4) of this section.
- 3           2. Any candidate exempt from filing under this subsection for a primary  
4                               who advances to the regular election shall file for an additional  
5                               exemption under this section for the regular election or the candidate  
6                               shall no longer be exempt from the filing requirements.
- 7           3. In the event a candidate exempt from filing under this subsection is no  
8                               longer eligible for the exemption, he or she shall immediately file for a  
9                               revocation of the exemption under paragraph (c) of this subsection.
- 10       (2) (a) State and county executive committees, and caucus campaign committees  
11                               shall make a full report, upon a prescribed form, to the registry, of all money,  
12                               loans, or other things of value, received from any source, and expenditures  
13                               authorized, incurred, or made, since the date of the last report, including:
- 14                               1. For each contribution of any amount made by a permanent committee,  
15                               the name and business address of the permanent committee, the date of  
16                               the contribution, the amount contributed, and a description of the major  
17                               business, social, or political interest represented by the permanent  
18                               committee;
- 19                               2. For other contributions in excess of one hundred dollars (\$100), the full  
20                               name, address, age if less than the legal voting age, the date of the  
21                               contribution, the amount of the contribution, and the employer and  
22                               occupation of each contributor. If the contributor is self-employed, the  
23                               name under which he or she is doing business shall be listed;
- 24                               3. The total amount of cash contributions received during the reporting  
25                               period; and
- 26                               4. A complete statement of expenditures authorized, incurred, or made.  
27                               The complete statement of expenditures shall include the name and

1 address of each person to whom an expenditure is made in excess of  
2 twenty-five dollars (\$25), and the amount, date, and purpose of each  
3 expenditure.

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

10 1. For each contribution of any amount made by a corporation, the name  
11 and business address of the corporation, the date of the contribution, the  
12 amount contributed, and a description of the major business conducted  
13 by the corporation;

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

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

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

26 (c) The report required by paragraph (a) of this subsection shall be made on a  
27 semiannual basis and shall be received by the registry by January 31 and by

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

15 (3) (a) Except for candidates or slates of candidates, campaign committees, or  
16 political issues committees exempted from reporting requirements pursuant to  
17 subsection (1) of this section, each campaign treasurer of a candidate, slate of  
18 candidates, campaign committee, or political issues committee who accepts  
19 contributions or expends, expects to accept contributions or expend, or  
20 contracts to expend more than three thousand dollars (\$3,000) in any one (1)  
21 election, and each fundraiser who secures contributions in excess of three  
22 thousand dollars (\$3,000) in any one (1) election, shall make a full report to  
23 the registry, on a form provided or using a format approved by the registry, of  
24 all money, loans, or other things of value, received from any source, and  
25 expenditures authorized, incurred, and made, since the date of the last report,  
26 including:

27 1. For each contribution of any amount made by a permanent committee,

- 1 the name and business address of the permanent committee, the date of  
2 the contribution, the amount contributed, and a description of the major  
3 business, social, or political interest represented by the permanent  
4 committee;
- 5 2. For each contribution in excess of one hundred dollars (\$100) made to  
6 any candidate or campaign committee or a political issues committee,  
7 the full name, address, age if less than the legal voting age, the date of  
8 the contribution, the amount of the contribution, and the employer and  
9 occupation of each other contributor. If the contributor is self-employed,  
10 the name under which he or she is doing business shall be listed;
- 11 3. The total amount of cash contributions received during the reporting  
12 period; and
- 13 4. A complete statement of all expenditures authorized, incurred, or made.  
14 The complete statement of expenditures shall include the name, address,  
15 and occupation of each person to whom an expenditure is made in  
16 excess of twenty-five dollars (\$25), and the amount, date, and purpose  
17 of each expenditure.
- 18 (b) Reports of all candidates, slates of candidates, campaign committees, political  
19 issues committees, and registered fundraisers shall be made as follows:
- 20 1. a. Candidates seeking statewide office, slates of candidates,  
21 authorized campaign committees for candidates seeking statewide  
22 office and for slates of candidates, unauthorized campaign  
23 committees, political issues committees, and fundraisers which  
24 register before the year of an election in which the candidate, a  
25 slate of candidates, or public question shall appear on the ballot,  
26 shall file financial reports with the registry at the end of the first  
27 calendar quarter after persons become statewide candidates or

- 1 slates of candidates, or following registration of the committee or  
2 fundraiser, and each calendar quarter thereafter, ending with the  
3 last calendar quarter of that year. The provisions of this  
4 subparagraph shall be retroactive to January 1, 2021;
- 5 b. All other candidates and candidate campaign committees shall file  
6 annual financial reports to be received by the registry on or before  
7 December 1 for each year that a candidate is not yet on the ballot  
8 but has filed a Statement of Spending Intent and Appointment of  
9 Campaign Treasurer with the registry for a future-year election;  
10 and
- 11 c. Candidates, slate of candidates, or committees shall make all  
12 reports required by subparagraphs 2. to 5. of this paragraph during  
13 the year in which the election takes place;
- 14 2. All candidates, slates of candidates, candidate-authorized and  
15 unauthorized campaign committees, political issues committees, and  
16 registered fundraisers shall make reports on the sixtieth day preceding a  
17 regular election, including all previous contributions and expenditures;
- 18 3. All candidates, slates of candidates, candidate-authorized and  
19 unauthorized campaign committees, political issues committees, and  
20 registered fundraisers shall make reports on the thirtieth day preceding  
21 an election, including all previous contributions and expenditures;
- 22 4. All candidates, slates of candidates, candidate-authorized and  
23 unauthorized campaign committees, political issues committees, and  
24 registered fundraisers shall make reports on the fifteenth day preceding  
25 the date of the election; and
- 26 5. All reports to the registry shall cover campaign activity during the entire  
27 reporting period and must be received by the registry within two (2)



1                   business days after the date the reporting period ends to be deemed  
2                   timely filed.

3 (4) Except for candidates, slates of candidates, and political issues committees,  
4 exempted pursuant to subsection (1)(a) of this section, all candidates, regardless of  
5 funds received or expended, candidate-authorized and unauthorized campaign  
6 committees, political issues committees, and registered fundraisers shall make post-  
7 election reports within thirty (30) days after the election. All post-election reports to  
8 the registry shall cover campaign activity during the entire reporting period and  
9 must be received by the registry within two (2) business days after the date the  
10 reporting period ends to be deemed timely filed.

11 (5) In making the preceding reports, the total gross receipts from each of the following  
12 categories shall be listed: proceeds from the sale of tickets for events such as  
13 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass  
14 collections made at the events, and sales of items such as campaign pins, buttons,  
15 hats, ties, literature, and similar materials. When any individual purchase or the  
16 aggregate purchases of any item enumerated above from a candidate or slate of  
17 candidates for a statewide-elected state office or a campaign committee for a  
18 candidate or slate of candidates for a statewide-elected state office exceeds one  
19 hundred dollars (\$100), the purchaser shall be identified by name, address, age, if  
20 less than the legal voting age, occupation, and employer or, if the purchaser is self-  
21 employed, the name under which he or she is doing business, and the amount of the  
22 purchase. When any individual purchase or the aggregate purchases of any item  
23 enumerated above from any candidate or campaign committee other than a  
24 candidate or slate of candidates for a statewide-elected state office or campaign  
25 committee for a candidate or slate of candidates for a statewide-elected state office  
26 exceeds one hundred dollars (\$100), the purchaser shall be identified by name,  
27 address, age if less than the legal voting age, occupation, and employer or, if the

1 purchaser is self-employed, the name under which he or she is doing business, and  
2 the amount of the purchase. The lists shall be maintained by the campaign treasurer,  
3 political issues committee treasurer, registered fundraiser, or other sponsor for  
4 inspection by the registry for six (6) years following the date of the election.

5 (6) Each permanent committee, except a federally registered permanent committee,  
6 inaugural committee, or contributing organization shall make a full report to the  
7 registry, on a form provided or using a format approved by the registry, of all  
8 money, loans, or other things of value, received by it from any source, and all  
9 expenditures authorized, incurred, or made, since the date of the last report,  
10 including:

11 (a) For each contribution of any amount made by a permanent committee, the  
12 name and business address of the permanent committee, the date of the  
13 contribution, the amount contributed, and a description of the major business,  
14 social, or political interest represented by the permanent committee;

15 (b) For other contributions in excess of one hundred dollars (\$100), the full name,  
16 address, age if under the legal voting age, the date of the contribution, the  
17 amount of the contribution, and the employer and occupation of each  
18 contributor. If the contributor is self-employed, the name under which he or  
19 she is doing business shall be listed;

20 (c) An aggregate amount of cash contributions, the amount contributed by each  
21 contributor, and the date of each contribution; and

22 (d) A complete statement of all expenditures authorized, incurred, or made,  
23 including independent expenditures. This report shall be made by a permanent  
24 committee, inaugural committee, or contributing organization to the registry  
25 on the last day of the first calendar quarter following the registration of the  
26 committee with the registry and on the last day of each succeeding calendar  
27 quarter until such time as the committee terminates. A contributing

1 organization shall file a report of contributions received and expenditures on a  
2 form provided or using a format approved by the registry not later than the  
3 last day of each calendar quarter in which contributions are received or  
4 expenditures are made. All reports to the registry shall be received on or  
5 before each filing deadline, and any report received by the registry within two  
6 (2) business days after each filing deadline shall be deemed timely filed.

7 (7) If the final statement of a candidate, campaign committee, or political issues  
8 committee shows an unexpended balance of contributions, continuing debts and  
9 obligations, or an expenditure deficit, the campaign treasurer shall file with the  
10 registry a supplemental statement of contributions and expenditures not more than  
11 thirty (30) days after the deadline for filing the final statement. Subsequent  
12 supplemental statements shall be filed annually, to be received by the registry by  
13 December 1 of each year, until the account shows no unexpended balance,  
14 continuing debts and obligations, expenditures, or deficit. All post-election reports  
15 to the registry shall cover campaign activity during the entire reporting period and  
16 must be received by the registry within two (2) business days after the date the  
17 reporting period ends to be deemed timely filed. All contributions shall be subject  
18 to KRS 121.150 as of the date of the election in which the candidate appeared on  
19 the ballot.

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

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

26 (a) Within five (5) business days after personally receiving any contributions, the  
27 candidate or slate of candidates shall surrender possession of the contributions

1 to the treasurer of their principal campaign committee without expending any  
2 of the proceeds thereof. No contributions shall be commingled with the  
3 candidate's or slated candidates' personal funds or accounts. Contributions  
4 received by check, money order, or other written instrument shall be endorsed  
5 directly to the campaign committee and shall not be cashed or redeemed by  
6 the candidate;

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

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

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

- 18 1. Further the candidacy of the person for a different public office;
- 19 2. Support or oppose a different public issue; or
- 20 3. Further the candidacy of any other person for public office.

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

26 (c) Any funds or contributions solicited or received by or on behalf of a  
27 candidate, slate of candidates, or any committee, which has been organized in

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

- 7 (d) Any unexpended balance of funds not otherwise obligated for the payment of  
8 expenses incurred to further a political issue or the candidacy of a person  
9 shall, in whole or in part, at the election of the candidate or committee:
- 10 1. Escheat to the State Treasury;
  - 11 2. Be returned pro rata to all contributors;
  - 12 3. In the case of a partisan candidate, be transferred to:
    - 13 a. A caucus campaign committee; or
    - 14 b. The state or county executive committee of the political party of  
15 which the candidate is a member;
  - 16 4. Be retained to further the same public issue or to seek election to the  
17 same office; or
  - 18 5. Be donated to any charitable, nonprofit, or educational institution  
19 recognized under Section 501(c)(3) of the United States Internal  
20 Revenue Code of 1986, as amended, and any successor thereto.

21 (11) If adequate and appropriate agency funds are available to implement this  
22 subsection, ***the option of*** electronic reporting shall be made available by the registry  
23 to all candidates, slates of candidates, committees, contributing organizations,  
24 registered fundraisers, and persons making independent expenditures. ***Filers***  
25 ***specified in this subsection may file required campaign finance reports in paper***  
26 ***or electronic format. If the filer chooses to file a report in electronic format,*** the  
27 electronic report submitted to the registry shall be the official campaign finance

1 report for audit and other legal purposes, whether mandated or filed by choice.

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

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

6 (14) Filers who submit electronic campaign finance reports which are not readable, or  
7 cannot be copied shall be deemed to not be in compliance with the requirements set  
8 forth in this section.

9 (15) *No candidate is obligated to file any reports electronically, except for those*  
10 *candidates, slates of candidates, and campaign committees that are required to*  
11 *electronically report under subsection(6)(h) of Section 1 of this Act*~~Beginning~~  
12 ~~with the primary scheduled in calendar year 2020, and for each subsequent election~~  
13 ~~scheduled thereafter, reports required to be submitted to the registry involving~~  
14 ~~candidates, slates of candidates, committees, contributing organizations, and~~  
15 ~~independent expenditures shall be reported electronically].~~

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

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