

HOUSE BILL No. 2167

By Committee on Elections

1-25

1 AN ACT concerning campaign finance; regulating the use of
2 cryptocurrency; prohibiting the use of campaign funds for a candidate
3 for federal office; amending K.S.A. 25-4153 and repealing the existing
4 section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 25-4153 is hereby amended to read as follows: 25-
8 4153. (a) The aggregate amount contributed to a candidate and such
9 candidate's candidate committee and to all party committees and political
10 committees and dedicated to such candidate's campaign, by any political
11 committee or any person except a party committee, the candidate or the
12 candidate's spouse, shall not exceed the following:

13 (1) For the pair of offices of governor and lieutenant governor or for
14 other state officers elected from the state as a whole, \$2,000 for each
15 primary election (or in lieu thereof a caucus or convention of a political
16 party) and an equal amount for each general election.

17 (2) For the office of member of the house of representatives, district
18 judge, district magistrate judge, district attorney or a candidate for local
19 office, \$500 for each primary election (or in lieu thereof a caucus or
20 convention of a political party) and an equal amount for each general
21 election.

22 (3) For the office of state senator or member of the state board of
23 education, \$1,000 for each primary election (or in lieu thereof a caucus or
24 convention of a political party) and an equal amount for each general
25 election.

26 (b) For the purposes of this section, the face value of a loan at the end
27 of the period of time allocable to the primary or general election is the
28 amount subject to the limitations of this section. A loan in excess of the
29 limits herein provided may be made during the allocable period if such
30 loan is reduced to the permissible level, when combined with all other
31 contributions from the person making such loan, at the end of such
32 allocable period.

33 (c) For the purposes of this section, all contributions made by
34 unemancipated children under 18 years of age shall be considered to be
35 contributions made by the parent or parents of such children. The total
36 amount of such contribution shall be attributed to a single custodial parent

1 and 50% of such contribution to each of two parents.

2 (d) The aggregate amount contributed to a state party committee by a
3 person other than a national party committee or a political committee shall
4 not exceed \$15,000 in each calendar year; and the aggregate amount
5 contributed to any other party committee by a person other than a national
6 party committee or a political committee shall not exceed \$5,000 in each
7 calendar year.

8 The aggregate amount contributed by a national party committee to a
9 state party committee shall not exceed \$25,000 in any calendar year, and
10 the aggregate amount contributed to any other party committee by a
11 national party committee shall not exceed \$10,000 in any calendar year.

12 The aggregate amount contributed to a party committee by a political
13 committee shall not exceed \$5,000 in any calendar year.

14 (e) Any political funds which have been collected and were not
15 subject to the reporting requirements of this act shall be deemed a person
16 subject to these contribution limitations.

17 (f) (1) Any political funds which have been collected and were
18 subject to the reporting requirements of the campaign finance act shall not
19 be used in or for the campaign of a candidate for a federal elective office.

20 (2) *Any political funds that have been collected by a candidate or*
21 *candidate committee and were subject to the reporting requirements of the*
22 *campaign finance act shall not be used in or for the campaign of a*
23 *candidate for a federal elective office.*

24 (g) The amount contributed by each individual party committee of the
25 same political party other than a national party committee to any candidate
26 for office, for any primary election at which two or more candidates are
27 seeking the nomination of such party shall not exceed the following:

28 (1) For the pair of offices of governor and lieutenant governor and for
29 each of the other state officers elected from the state as a whole, \$2,000 for
30 each primary election (or in lieu thereof a caucus or convention of a
31 political party).

32 (2) For the office of member of the house of representatives, district
33 judge, district magistrate judge, district attorney or a candidate for local
34 office, \$500 for each primary election (or in lieu thereof a caucus or
35 convention of a political party).

36 (3) For the office of state senator or member of the state board of
37 education, \$1,000 for each primary election (or in lieu thereof a caucus or
38 convention of a political party).

39 (h) When a candidate for a specific cycle does not run for office, the
40 contribution limitations of this section shall apply as though the individual
41 had sought office.

42 (i) No person shall make any contribution or contributions to any
43 candidate or the candidate committee of any candidate in the form of

1 money or currency of the United States which in the aggregate exceeds
2 \$100 for any one primary or general election, and no candidate or
3 candidate committee of any candidate shall accept any contribution or
4 contributions in the form of money or currency of the United States which
5 in the aggregate exceeds \$100 from any one person for any one primary or
6 general election.

7 *(j) (1) No person shall make or accept any cryptocurrency*
8 *contribution for any candidate or candidate committee that in the*
9 *aggregate exceeds \$100 for any one primary or general election from any*
10 *one person. The value of a cryptocurrency contribution is the fair market*
11 *value of the cryptocurrency at the time the payment processor obtains*
12 *possession of the contribution;*

13 *(2) no person shall make or accept any cryptocurrency contribution*
14 *for any political committee or party committee that in the aggregate*
15 *exceeds \$100 for any calendar year from any one person. The value of a*
16 *cryptocurrency contribution is the fair market value of the cryptocurrency*
17 *at the time the payment processor obtains possession of the contribution;*

18 *(3) a candidate, candidate committee, political committee or party*
19 *committee shall immediately convert a cryptocurrency contribution to*
20 *United States currency and deposit the proceeds into the campaign*
21 *account. A campaign shall not make expenditures in the form of*
22 *cryptocurrency nor hold cryptocurrency as a campaign asset;*

23 *(4) a candidate, candidate committee, political committee or party*
24 *committee shall obtain the following information before accepting a*
25 *cryptocurrency contribution:*

26 *(A) The contributor's full name;*

27 *(B) the contributor's physical address;*

28 *(C) an affirmation from the contributor that they are the owner of the*
29 *cryptocurrency; and*

30 *(D) an affirmation from the contributor that they are not a foreign*
31 *national;*

32 *(5) a campaign finance contribution in the form of cryptocurrency*
33 *may only be accepted if the contribution is made and received through a*
34 *United States-based cryptocurrency payment processor that utilizes*
35 *procedures that enable the processor to form a reasonable belief that it*
36 *knows the true identity of each contributor and collects the name and*
37 *address of each contributor at the time the contribution is made and*
38 *transmits this information to the committee; and*

39 *(6) when reporting a contribution of cryptocurrency on a campaign*
40 *finance report, a treasurer shall report the amount and type of virtual*
41 *currency received.*

42 Sec. 2. K.S.A. 25-4153 is hereby repealed.

43 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.