

As Amended by Senate Committee

Session of 2023

SENATE BILL No. 63

By Senators Corson, Blasi, Claeys, O'Shea, Pittman and Straub

1-19

1 AN ACT concerning elections; relating to the campaign finance act;
2 expanding the scope of permitted uses of campaign contributions to
3 include family caregiving services; amending K.S.A. 25-4157a and
4 repealing the existing section.

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

7 Section 1. K.S.A. 25-4157a is hereby amended to read as follows: 25-
8 4157a. (a) (1) No moneys received by any candidate or candidate
9 committee of any candidate as a contribution under this act shall be used
10 or be made available for the personal use of the candidate, and no such
11 moneys shall be used by such candidate or the candidate committee of
12 such candidate except for:

13 (1)(A) Legitimate campaign purposes;
14 (2)(B) expenses of holding political office;
15 (3)(C) contributions to the party committees of the political party of
16 which such candidate is a member;

17 (4)(D) any membership dues related to the candidate's campaign paid
18 to a community service or civic organization in the name of the candidate;

19 (5)(E) any donations paid to any organization which is recognized as
20 a 501(c)(3) tax exempt organization or any religious organization,
21 community service or civic organization in the name of the candidate or
22 candidate committee of any candidate but only if the candidate receives no
23 goods or services unrelated to the candidate's campaign as a result of the
24 payment of such donations;

25 (6)(F) expenses incurred in the purchase of tickets to meals and
26 special events sponsored by any organization the major purpose of which
27 is to promote or facilitate the social, business, commercial or economic
28 well being of the local community; ~~or~~

29 (7)(G) expenses incurred in the purchase and mailing of greeting
30 cards to voters and constituents; *or*

31 (H) *expenses incurred for family caregiving services when such*
32 *expenses are incurred as a result of the candidate's candidacy for office or*
33 *holding office and are directly related to or have an effect on the*
34 *candidate's campaign activities or duties as an office holder.*

35 (2) For the purpose of this subsection, expenditures for "personal use"
36 ~~shall include~~ *include* expenditures to defray normal living expenses for the

1 candidate or the candidate's family and expenditures for the personal
2 benefit of the candidate having no direct connection with or effect upon
3 the campaign of the candidate or the holding of public office. *The term*
4 *"personal use" does not include family caregiving services.*

5 (3) *As used in this subsection:*

6 (A) *"Family caregiving services" means the provision of care for an*
7 *individual who is an immediate family member of the candidate and who*
8 *is:*

9 (i) *Under 13 years of age;*

10 (ii) *disabled; or*

11 (iii) *qualifies for ~~senior care~~ services **under the Kansas senior care***
12 *act; and*

13 (B) *"immediate family member" means a spouse, parent, stepparent,*
14 *grandparent, sibling, child, stepchild, grandchild; or former spouse ~~or any~~*
15 *individual living **who resides** in the same residence as the candidate.*

16 (b) No moneys received by any candidate or candidate committee of
17 any candidate as a contribution shall be used to pay interest or any other
18 finance charges upon moneys loaned to the campaign by such candidate or
19 the spouse of such candidate.

20 (c) No candidate or candidate committee shall accept from any other
21 candidate or candidate committee for any candidate for local, state or
22 national office, any moneys received by such candidate or candidate
23 committee as a campaign contribution. The provisions of this subsection
24 shall not be construed to prohibit a candidate or candidate committee from
25 accepting moneys from another candidate or candidate committee if such
26 moneys constitute a reimbursement for one candidate's proportional share
27 of the cost of any campaign activity participated in by both candidates
28 involved. Such reimbursement shall not exceed an amount equal to the
29 proportional share of the cost directly benefiting and attributable to the
30 personal campaign of the candidate making such reimbursement.

31 (d) At the time of the termination of any campaign and prior to the
32 filing of a termination report in accordance with K.S.A. 25-4157, and
33 amendments thereto, all residual funds otherwise not obligated for the
34 payment of expenses incurred in such campaign or the holding of office
35 shall be contributed to a charitable organization, as defined by the laws of
36 the state, contributed to a party committee or returned as a refund in whole
37 or in part to any contributor or contributors from whom received or paid
38 into the general fund of the state.

39 Sec. 2. K.S.A. 25-4157a is hereby repealed.

40 Sec. 3. This act shall take effect and be in force from and after its
41 publication in the statute book.