

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 63

As Amended by Senate Committee on
Transparency and Ethics

Brief*

SB 63, as amended, would amend the Campaign Finance Act to establish family caregiving services as an exception to the prohibition on campaign contributions being used or made available for the personal use of the candidate.

Family caregiving service expenses would be allowable as campaign expenses when the expenses are incurred as a result of the candidate's candidacy or holding office and are directly related to or have an effect on the candidate's campaign activities or duties as an officeholder.

The bill would define "family caregiving services" as the provision of care for an immediate family member of the candidate who is younger than age 13, disabled, or qualifies for services under the Kansas Senior Care Act. The bill would define "immediate family member" to mean a spouse, parent, stepparent, grandparent, sibling, child, stepchild, grandchild, or former spouse who resides in the same residence as the candidate.

The bill would exclude family caregiving services from the definition of "expenditures for personal use" in the Campaign Finance Act.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by Senators Corson, Blasi, Claeys, O'Shea, Pittman, and Straub.

[*Note:* Provisions of this bill as introduced are those of 2022 SB 485, as amended by the Senate Committee on Transparency and Ethics.]

Senate Committee on Transparency and Ethics

In the Senate Committee hearing, Senator Corson and a representative of Vote Mama Foundation provided **proponent** testimony. They stated enactment of the bill would allow more working parents and caregivers to seek and hold office. They noted the use of campaign funds for this purpose would be voluntary, and similar provisions are in place in 28 states. Written-only proponent testimony was provided by representatives of the Kansas Future Caucus, League of Kansas Municipalities, and United WE.

Neutral testimony was provided by a representative of the Kansas Governmental Ethics Commission (KGEC), who stated child care expenses were established as an acceptable use of campaign funds in a KGEC advisory opinion in 2018, and the bill would place this use into statute, allow use for care for those who have a disability or require senior care, and set an age limit regarding child care.

No other testimony was provided.

The Senate Committee amended the bill to remove “any individual living in the same residence” from the definition of immediate family member. The Senate Committee also amended the bill to specify that the definition of family caregiving services would include the provision of care for an immediate family member who qualifies for services under the Kansas Senior Care Act.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Office of the Secretary of State and the KGEC indicate enactment of the bill would have no fiscal effect on the Office or the KGEC, respectively.

Campaign Finance Act; campaign expense; caregiving services; family expenses