

SESSION OF 2008

SUPPLEMENTAL NOTE ON SENATE BILL NO. 196

As Amended by House Committee on
Elections and Governmental Organization

Brief*

SB 196 concerns reports of campaign contributions and independent expenditures in elections for state and local office.

The bill would:

- Require that the treasurer for a candidate for a state or local office file a campaign contribution report listing information for each person who has made one or more contributions totaling \$300 or more during the period that begins 11 days before a primary or general election and ending just before the Wednesday preceding the date of the election. The report must be made on or before the close of business on the Thursday preceding the election.
 - The information required to be placed in the report is:
 - The name and address of each person contributing an aggregate amount of at least \$300;
 - The amount and date of the contribution, including the name and address of every lender, guarantor and endorser if the contribution is in the form of an advance or loan.
 - The required reports could be filed by hand delivery, express delivery service, fax, or any electronic method authorized by the Secretary of State.

*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>

- Require that the treasurer for a party committee or political committee file reports of independent expenditures made totaling more than \$50 during the period that begins 11 days before a state or local primary or general election and ending just before the Wednesday preceding the date of the election. The report must be made on or before the close of business on the Thursday before the election.
 - The information required to be placed in the report is:
 - The amount, date and purpose of each such independent expenditure, along with the name of the candidate whose nomination, election or defeat is expressly advocated.
 - For independent expenditures made as payment to an advertising agency, public relations firm or political consultant to be disbursed to vendors - the name of each vendor and the amount, date and purpose of the payments, along with the name of the candidate whose nomination, election or defeat is expressly advocated.
 - The required reports could be filed by hand delivery, express delivery service, fax, or any electronic method authorized by the Secretary of State.
 - “Independent expenditure” would be defined as one made without the cooperation or consent of the candidate or the agent of the candidate intended to be benefitted.

Background

Senator Roger Reitz testified in support of the bill. The Executive Director of the Kansas Governmental Ethics Commission testified that reports that are made 11 days before

the general election through the date of the general election are not disclosed until the January 10 Receipts and Expenditures Report; therefore, the public would not know who made expenditures 11 days prior to an election. A representative of the Office of Secretary of State testified neutrally on the bill, requesting an amendment.

The Senate Committee amended the bill to:

- Conform the methods of filing the expenditures in the two sections of the bill; and
- Change the definition of “independent expenditure.”

The House Committee amended the bill to:

- Change the deadlines for collecting and reporting the contributions and independent expenditures (from Thursday and Friday to Wednesday and Thursday); and
- Clarify the definition of “independent expenditures.”

The fiscal note indicated passage of SB 196 would have a negligible fiscal effect on the Office of Secretary of State for the establishment of e-mail accounts to accept reports sent electronically.