

February 15, 2023

The Honorable Pat Proctor, Chairperson
House Committee on Elections
300 SW 10th Avenue, Room 218-N
Topeka, Kansas 66612

Dear Representative Proctor:

SUBJECT: Fiscal Note for HB 2207 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2207 is respectfully submitted to your committee.

HB 2207 would amend the definition of “corrupt political advertising” to include paid matter delivered by phone, text, and voice over internet protocol that expressly advocates the nomination, election, or defeat of any clearly identified candidate, unless such matter is preceded by a statement the matter is “paid for” or “sponsored by” followed by the name the sponsoring organization and the name of the chairperson or treasurer of the political or other organization sponsoring such candidate or the name of the responsible individual.

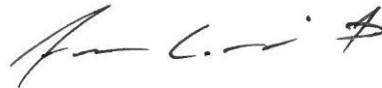
Also, the expanded definition would include paid matter delivered by phone, text, and voice over internet protocol that are intended to influence the vote of any person or persons for or against any question submitted for a proposition to amend the constitution or to authorize the issuance of bonds or any other question submitted at an election, unless such matter is preceded by a statement the matter is “paid for” or “sponsored by” followed by the name of the sponsoring organization and the name of the chairperson or treasurer of the political or other organization sponsoring such question or the name of the responsible individual.

The Office of Judicial Administration states enactment of HB 2207 could increase the number of cases filed in district court because it expands the crime of corrupt political advertising, which would increase the time spent by judges and court employees processing and researching cases. The Office states since the crime carries a misdemeanor penalty, there could additional supervision required by court service officers. The Office estimates enactment of the bill could result in the collection of docket fees, fines, and supervision fees in those cases filed under the bill’s provisions, which would be credited to the State General Fund. Until the Judicial Branch

has had an opportunity to operate under the bill's provisions, a fiscal effect cannot be estimated, according to the Office.

The Governmental Ethics Commission states enactment of the bill would not have a fiscal effect on the operations of the Commission. Any fiscal effect associated with HB 2207 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Mark Skoglund, Governmental Ethics Commission
Sandy Tompkins, Office of the Secretary of State
Jay Hall, Kansas Association of Counties
Vicki Jacobsen, Judiciary