

Senate Substitute for HOUSE BILL No. 2054

By Committee on Federal and State Affairs

3-19

AN ACT concerning elections; relating to campaign contribution limits; increasing the limits on certain campaign contributions; eliminating such limits on contributions to or by party committees; amending K.S.A. 25-4153 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

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

(1) For the pair of offices of governor and lieutenant governor or for other state officers elected from the state as a whole, ~~\$2,000~~ \$4,000 for each primary election—, or in lieu thereof, a caucus or convention of a political party}, and an equal amount for each general election.

(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney or a candidate for local office *whose jurisdiction has a population that is fewer than 50,000*, ~~\$500~~ \$1,000 for each primary election—, or in lieu thereof, a caucus or convention of a political party}, and an equal amount for each general election.

(3) For the office of state senator—, member of the state board of education *or a candidate for local office whose jurisdiction has a population that is 50,000 or more*, ~~\$1,000~~ \$2,000 for each primary election {, or in lieu thereof, a caucus or convention of a political party}, and an equal amount for each general election.

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

(c) For the purposes of this section, all contributions made by unemancipated children under 18 years of age shall be considered to be

1 contributions made by the parent or parents of such children. The total
2 amount of such contribution shall be attributed to a single custodial parent
3 and 50% of such contribution to each of two parents.

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

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

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

16 ~~(e)—(1) The aggregate amount contributed to a party committee by a~~
17 ~~person other than a party committee shall not exceed \$50,000 in each~~
18 ~~calendar year.~~

19 ~~(2) The aggregate amount contributed by a national party committee~~
20 ~~to a party committee shall not exceed \$50,000 in any calendar year.~~

21 ~~(e) No expenditures made by a party committee in support of a~~
22 ~~candidate, with or without such candidate's cooperation or consent, shall~~
23 ~~constitute a contribution.~~

24 ~~(f) (1) If a candidate or a candidate's candidate committee receives~~
25 ~~contributions prior to the date of the primary election and such~~
26 ~~contributions are designated for use in connection with the general~~
27 ~~election, such candidate or such committee shall use an acceptable~~
28 ~~accounting method to distinguish between contributions received for the~~
29 ~~primary election and contributions received for the general election.~~
30 ~~Acceptable accounting methods include, but are not limited to:~~

31 ~~(A) The designation of separate accounts for each election; or~~

32 ~~(B) the establishment of separate books and records for each~~
33 ~~election.~~

34 ~~(2) Under any acceptable accounting method, the authorized records~~
35 ~~of a candidate or candidate committee shall demonstrate that, prior to the~~
36 ~~primary election, the recorded amount of cash on hand was at all times~~
37 ~~equal to or in excess of an amount equal to the sum of the contributions~~
38 ~~received and designated for use in connection with the general election~~
39 ~~less the sum of disbursements made for the general election.~~

40 ~~(g) For purposes of this section, "jurisdiction" means:~~

41 ~~(1) The city, county or school district if the candidate is seeking~~
42 ~~election to a local office that is elected at large in such city, county or~~
43 ~~school district; and~~

1 (2) *the electoral district if the candidate is seeking election as a*
2 *member of a governing body that has member districts.*

3 (h) Any political funds~~which~~ *that* have been collected and were not
4 subject to the reporting requirements of this act shall be deemed a person
5 subject to these contribution limitations.

6 ~~(f)(i)~~ Any political funds~~which~~ *that* have been collected and were
7 subject to the reporting requirements of the campaign finance act shall not
8 be used in or for the campaign of a candidate for a federal elective office.

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

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

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).~~

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

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

27 ~~(i) No person shall make any contribution or contributions to any~~
28 ~~candidate or the candidate committee of any candidate in the form of~~
29 ~~money or currency of the United States which in the aggregate exceeds~~
30 ~~\$100 for any one primary or general election, and No candidate or~~
31 ~~candidate committee of any candidate shall accept any contribution or~~
32 ~~contributions in the form of money or currency of the United States which~~
33 ~~in the aggregate exceeds \$100 from any one person for any one primary or~~
34 ~~general election.~~

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

36 Sec. 3. This act shall take effect and be in force from and after its
37 publication in the Kansas register.