

HOUSE BILL No. 2759

By Committee on Federal and State Affairs

Requested by Representative Schmoec

2-6

AN ACT concerning the state governmental ethics laws; requiring registration of agents and political organizations representing countries of concern and foreign principals; amending K.S.A. 46-214a and K.S.A. 2025 Supp. 46-288 and repealing the existing sections.

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

New Section 1. The legislature hereby finds that:

(a) The voters, citizens and policymakers of Kansas are entitled to transparency in the political and propaganda activities of organizations that may be controlled by or under the influence of foreign countries hostile to the interests of Kansas and the United States;

(b) in an increasingly globalized world, determining whether an organization's political and propaganda activities are funded by hostile foreign interests is often difficult; and

(c) legislation is needed to ensure the transparency necessary to allow voters, citizens and policymakers to evaluate whether political and propaganda activities are funded by potentially hostile foreign actors.

New Sec. 2. As used in sections 2 through 4, and amendments thereto:

(a) "Agent" means any person:

(1) Who acts as an agent, employee, representative or servant for a foreign principal, or otherwise acts at the order, request or under the direction or control of a foreign principal;

(2) whose actions are financed, in whole or in part, by such foreign principal; and

(3) who engages in political activity.

(b) "Country of concern" means:

(1) (A) People's republic of China, including the Hong Kong special administrative region;

(B) republic of Cuba;

(C) islamic republic of Iran;

(D) democratic people's republic of Korea;

(E) Russian federation; and

(F) Bolivarian republic of Venezuela.

(2) "Country of concern" does not include the republic of China

1 (Taiwan).

2 (c) "Foreign principal" means:

3 (1) The government of a country of concern;

4 (2) a political party of a country of concern or any member of such
5 political party;

6 (3) a nonresident alien of a country of concern;

7 (4) a partnership, association, corporation, organization or any other
8 combination of persons organized under the laws of or having its principal
9 place of business in a country of concern; and

10 (5) a partnership, association, corporation, organization or any other
11 combination of persons organized under the laws of this state that is at
12 least 20% beneficially owned by one of the entities described in paragraph
13 (1), (3) or (4).

14 (d) "Foreign-supported political organization" means a political party
15 or a partnership, association, corporation, organization or any other
16 combination of persons organized under the laws of this state that has,
17 within the past five years, received money or any other thing of value from
18 a foreign principal or an agent of a foreign principal and that engages in
19 political activity.

20 (e) "Political activity" means:

21 (1) Lobbying;

22 (2) lobbying activities directed at the actions of the governing body of
23 a political subdivision of this state; and

24 (3) advocating for or opposing the nomination or election of a
25 candidate for any office, the recall of any elected official or any proposed
26 constitutional amendment or other question submitted to the electors of
27 this state or any political subdivision thereof.

28 New Sec. 3. (a) No person shall act as an agent of a foreign principal
29 unless such person registers with the commission by submitting a
30 registration statement and any required supplemental documents.
31 Registration statements shall be submitted in such form and manner as
32 prescribed by the commission. Each registration statement shall include
33 the following material information:

34 (1) The agent's name, principal business address, all other business
35 addresses wherever located and all residence addresses wherever located,
36 if any;

37 (2) a comprehensive statement of the nature of the agent's business;

38 (3) a statement of the character of the business and other activities of
39 each foreign principal for whom the agent is acting, assuming or
40 purporting to act or has agreed to act. For any foreign principal that is not
41 a natural person, such statement shall also describe the ownership of such
42 foreign principal and the control structure under which such foreign
43 principal is supervised, directed, owned, controlled, financed or

1 subsidized, in whole or in part, by any other foreign principal;

2 (4) the amount, form, time of receipt, payor and purpose of each
3 payment, disbursement, contribution or thing of value, if any, that the
4 agent has received within the immediately preceding 60 days from each
5 foreign principal;

6 (5) a description of every activity the agent is performing, is
7 assuming or purporting to perform or has agreed to perform for any other
8 person, including such agent, other than a foreign principal that requires
9 registration as a lobbyist;

10 (6) the name, business and residence addresses and, if an individual,
11 the nationality of any person other than a foreign principal for whom the
12 agent is acting, assuming or purporting to act or has agreed to act that
13 requires registration as a lobbyist;

14 (7) the amount, form, time of receipt, payor and purpose of each
15 payment, disbursement, contribution or thing of value, if any, that the
16 agent has received within the immediately preceding 60 days from each
17 person described in paragraph (6);

18 (8) the amount, form, time of payment, payee and purpose of each
19 expenditure made by the agent during the immediately preceding 60 days
20 in furtherance of or in connection with any of the activities described in
21 paragraphs (3) and (5);

22 (9) the amount, form, time of payment, payee and purpose of each
23 expenditure made by the agent during the immediately preceding 60 days
24 to advocate for or oppose the nomination or election of a candidate for any
25 office, the recall of any elected official or any proposed constitutional
26 amendment or other question submitted to the electors of this state or any
27 political subdivision thereof; and

28 (10) such other statements, information or documents as the
29 commission deems necessary.

30 (b) The information provided in any registration submitted pursuant
31 to subsection (a) shall be updated at such times as are required by rules
32 and regulations adopted by the commission, which shall require updates be
33 submitted at least once each quarter.

34 (c) The requirements of this section shall be in addition to any
35 registration and reporting requirements that are applicable to an agent
36 under the state governmental ethics law.

37 New Sec. 4. (a) Each foreign-supported political organization shall
38 register with the commission by submitting a registration statement and
39 any required supplemental documents. Registration statements shall be
40 submitted in such form and manner as prescribed by the commission. Each
41 registration statement shall include the following material information:

42 (1) The name and address of the organization and the names, titles
43 and addresses of all officers and directors of the organization;

1 (2) if the organization is affiliated with or a chapter of a national
2 organization, the name and address of such national organization and the
3 names and addresses of such national organization's officers and directors;

4 (3) the amount, form, time of payment, payee and purpose of each
5 expenditure made by the organization within the immediately preceding 12
6 months for political activities; and

7 (4) the amount, form, time of receipt, payor and purpose of each
8 payment, disbursement, contribution or thing of value, if any, that the
9 organization has received from a foreign principal or an agent of a foreign
10 principal during the immediately preceding 12 months.

11 (b) The information provided in any registration submitted pursuant
12 to subsection (a) shall be updated at such times as are required by rules
13 and regulations adopted by the commission, which shall require updates be
14 submitted at least once each quarter.

15 (c) The requirements of this section shall be in addition to any
16 registration and reporting requirements that are applicable to an agent
17 under the state governmental ethics law.

18 Sec. 5. K.S.A. 46-214a is hereby amended to read as follows: 46-
19 214a. K.S.A. 46-215 through 46-293—~~and K.S.A. 46-237a~~, and
20 amendments thereto, *and sections 1 through 4, and amendments thereto*,
21 shall be known and may be cited as the state governmental ethics law.

22 Sec. 6. K.S.A. 2025 Supp. 46-288 is hereby amended to read as
23 follows: 46-288. The commission, in addition to any other penalty
24 prescribed under K.S.A. 46-215 through 46-286, and amendments thereto,
25 may assess a civil fine, after proper notice and an opportunity to be heard,
26 against any person for a violation pursuant to K.S.A. 46-215 through 46-
27 286, and amendments thereto, *and sections 1 through 4, and amendments*
28 *thereto*, in an amount not to exceed \$5,000 for the first violation, not to
29 exceed \$10,000 for the second violation and not to exceed \$15,000 for the
30 third violation and for each subsequent violation. All fines assessed and
31 collected under this section shall be remitted to the state treasurer in
32 accordance with the provisions of K.S.A. 75-4215, and amendments
33 thereto. Upon receipt of each such remittance, the state treasurer shall
34 deposit the entire amount in the state treasury to the credit of the Kansas
35 public disclosure commission fee fund.

36 Sec. 7. K.S.A. 46-214a and K.S.A. 2025 Supp. 46-288 are hereby
37 repealed.

38 Sec. 8. This act shall take effect and be in force from and after its
39 publication in the statute book.