

SENATE BILL No. 314

By Senators Shane and Thompson

1-12

AN ACT concerning elections; relating to the use of public assets for campaign finance; prohibiting the use of such assets to advocate for or against state constitutional amendments and any other ballot question submitted to qualified electors; amending K.S.A. 25-4169a and repealing the existing section.

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

Section 1. K.S.A. 25-4169a is hereby amended to read as follows: 25-4169a. (a) ~~(1)~~ No officer or employee of the state of Kansas, or any municipality, shall use or authorize the use of public funds or public vehicles, machinery, equipment or supplies of any such governmental agency or the time of any officer or employee of any such governmental agency, for which the officer or employee is compensated by such governmental agency, to expressly advocate the nomination, election or defeat of a clearly identified candidate to state office or local office, *to promote or oppose the adoption or repeal of any provisions of the constitution of the state of Kansas or to promote or oppose any ballot question submitted to the qualified electors of this state or any political subdivision thereof.*

(b) The provisions of this section prohibiting the use of time of any officer or employee for such purposes shall not apply to an incumbent officer campaigning for nomination or reelection to a succeeding term to such office or to members of the personal staff of any elected officer.

(c) The provisions of this section shall not apply to the statutory duties of the commission on judicial performance pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

~~(2)(d)~~ The provisions of this ~~subsection~~ section shall not apply to the use of internet connectivity provided by the state of Kansas or any municipality to any candidate or elected official.

~~(3)(e)~~ Except as otherwise provided in this section, no municipality shall permit or allow any person to distribute, or cause to be distributed, within any building or other structure owned, leased or rented by such municipality any brochure, flier, political fact sheet or other document ~~which~~ *that* expressly advocates the nomination, election or defeat of a clearly identified candidate for state or local office unless each candidate for such state or local office is permitted or allowed to do so in the same

1 manner.

2 ~~(4)(f)~~ For the purposes of this ~~subsection~~ *section*, the term
3 municipality ~~shall have the meaning ascribed to it~~ *means the same as*
4 *defined* in K.S.A. 12-105a, and amendments thereto.

5 ~~(b)~~(g) Any person violating the provisions of this section shall be
6 guilty of a class C misdemeanor.

7 Sec. 2. K.S.A. 25-4169a is hereby repealed.

8 Sec. 3. This act shall take effect and be in force from and after its
9 publication in the statute book.