

SENATE SUBSTITUTE HOUSE BILL No. 2080

By Committee on Ethics and Elections

3-21

1 AN ACT concerning elections *and elected officials*; amending K.S.A. 25-
2 321, 25-1215, 25-1218, 25-4004, 25-4153, 25-4502 and 25-4503 and
3 K.S.A. 2010 Supp. 25-205, 25-1216, ~~25-4156 and 25-4501~~**25-4119f,**
4 **25-4145, 25-4156, 25-4501, 46-265, and 46-269** and repealing the
5 existing sections.
6

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

8 Section. 1. K.S.A. 25-4153 is hereby amended to read as follows: 25-
9 4153. (a) The aggregate amount contributed to a candidate and such
10 candidate's candidate committee and to all party committees and political
11 committees and dedicated to such candidate's campaign, by any political
12 committee or any person except a party committee, the candidate or the
13 candidate's spouse, shall not exceed the following:

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

18 (2) For the office of member of the house of representatives, district
19 judge, district magistrate judge, district attorney, ~~member of the state board~~
20 ~~of education~~ or a candidate for local office, \$500 for each primary election
21 (or in lieu thereof a caucus or convention of a political party) and an equal
22 amount for each general election.

23 (3) For the office of state senator *or member of the state board of*
24 *education*, \$1,000 for each primary election (or in lieu thereof a caucus or
25 convention of a political party) and an equal amount for each general
26 election.

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

34 (c) For the purposes of this section, all contributions made by
35 unemancipated children under 18 years of age shall be considered to be
36 contributions made by the parent or parents of such children. The total

1 amount of such contribution shall be attributed to a single custodial parent
2 and 50% of such contribution to each of two parents.

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

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

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

15 (e) Any political funds which have been collected and were not
16 subject to the reporting requirements of this act shall be deemed a person
17 subject to these contribution limitations.

18 (f) Any political funds which have been collected and were subject
19 to the reporting requirements of the campaign finance act shall not be used
20 in or for the campaign of a candidate for a federal elective office.

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

25 (1) For the pair of offices of governor and lieutenant governor and for
26 each of the other state officers elected from the state as a whole, \$2,000 for
27 each primary election (or in lieu thereof a caucus or convention of a
28 political party);

29 (2) For the office of member of the house of representatives, district
30 judge, district magistrate judge, district attorney, ~~member of the state board~~
31 ~~of education~~ or a candidate for local office, \$500 for each primary election
32 (or in lieu thereof a caucus or convention of a political party).

33 (3) For the office of state senator *or member of the state board of*
34 *education*, \$1,000 for each primary election (or in lieu thereof a caucus or
35 convention of a political party).

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

39 (i) No person shall make any contribution or contributions to any
40 candidate or the candidate committee of any candidate in the form of
41 money or currency of the United States which in the aggregate exceeds
42 \$100 for any one primary or general election, and no candidate or
43 candidate committee of any candidate shall accept any contribution or

1 contributions in the form of money or currency of the United States which
 2 in the aggregate exceeds \$100 from any one person for any one primary or
 3 general election.

4 Sec. 2. K.S.A. 25-1215 is hereby amended to read as follows: 25-
 5 1215. Every person in federal services who is eligible to register for and is
 6 qualified to vote at any general election under the laws of this state and
 7 who is absent from his place of residence in this state shall be entitled, as
 8 provided in this act, to vote by federal services absentee ballot at any
 9 ~~primary or general~~ election held in *his such person's* election district or
 10 precinct, notwithstanding any provision of law relating to the registration
 11 of qualified voters.

12 Sec. 3. K.S.A. 2010 Supp. 25-1216 is hereby amended to read as
 13 follows: 25-1216. (a) Every person who is qualified and eligible to vote by
 14 federal services absentee ballot under the provisions of this act may make
 15 application for such ballot to the county election officer of the county of
 16 such voter's residence or to the secretary of state. Such application shall be
 17 made by postcard application provided for and prescribed in the federal act
 18 or on a form to be prescribed by the secretary of state. Any such
 19 application shall be valid for any election at which such voter otherwise is
 20 entitled to vote between the date of the application through the ~~next two~~
 21 ~~regularly scheduled general elections for national or state office~~ *end of the*
 22 *calendar year.*

23 (b) If the voter is residing outside the United States or is a member of
 24 the United States armed forces or a spouse or dependent of a member of
 25 the armed forces and a qualified elector and cannot vote timely by mail,
 26 the voter may apply for registration and an absentee ballot by facsimile,
 27 *electronic mail or other electronic method authorized by the secretary of*
 28 *state.* The voter may also request that the county election officer transmit
 29 to such voter by facsimile, *electronic mail or other electronic method*
 30 *authorized by the secretary of state,* a ballot, or a second ballot, as the case
 31 may be. ~~The voter may then either mail or transmit by facsimile such~~
 32 ~~voter's voted ballot, back to the county election officer.~~ *The voter may*
 33 *transmit such voter's ballot back to the county election officer by mail,*
 34 *facsimile, electronic mail or other electronic method authorized by the*
 35 *secretary of state.*

36 If the voter chooses to transmit the voted ballot to the county election
 37 officer by facsimile, *electronic mail or other electronic method authorized*
 38 *by the secretary of state* the transmittal shall contain the following
 39 statement: "I understand that by faxing, *emailing or electronically*
 40 *transmitting* my voted ballot I am voluntarily waiving my right to a secret
 41 ballot." This statement shall be followed by the voter's signature and the
 42 date. Upon receipt of the transmittal, the county election officer shall
 43 place the voted ballot along with the signed statement and affidavit in an

1 appropriately marked envelope and seal it. The county election officer and
2 such officer's staff shall take the steps necessary to keep the voted ballots
3 received by facsimile, *electronic mail or other electronic method*
4 *authorized by the secretary of state* as confidential as practicable.

5 Sec. 4. K.S.A. 25-1218 is hereby amended to read as follows: 25-
6 1218. (a) The secretary of state shall prescribe the form of official federal
7 services absentee ballots. Such ballots shall provide for voting for all
8 officers, ~~other than precinct committeeman and committeewoman, for~~
9 ~~whom the voter would otherwise be entitled to vote and shall also provide~~
10 ~~for voting on any proposed amendment to the constitution of the state of~~
11 ~~Kansas and any other proposition or question which is to be submitted to a~~
12 ~~vote of the qualified electors of the state at large and on any proposition or~~
13 ~~question for which the voter would otherwise be entitled to vote.~~ Such
14 ballots shall be uniform in size and in style of type, and the type and paper
15 shall conform generally to that used for the regular official ballots. The
16 respective county election officers shall cause to be prepared and printed
17 such numbers of ballots as may be appropriate for carrying out the
18 provisions of this act.

19 (b) Such ballots shall contain the title of each office to be voted for,
20 followed by the name and address of each nominated candidate for each
21 office, the party or independent body nominating such candidate, a
22 designation of the political subdivision to be represented, and a blank
23 space for writing in the name of any other person for whom the voter
24 desires to vote, ~~except that.~~ *Except for precinct committee man and*
25 *committee woman,* no such blank space shall be printed on the primary
26 ballot following the title of any office for which there is a candidate.

27 (c) *Any person who is qualified to vote under this act shall be*
28 *allowed to submit a federal write-in absentee ballot as prescribed*
29 *pursuant to the federal act if the:*

- 30 (1) *Person has previously submitted a proper application for a*
31 *ballot;*
32 (2) *ballot was not received; and*
33 (3) *person does not submit the federal write-in absentee ballot from a*
34 *location within the United States.*

35 Sec. 5. K.S.A. 2010 Supp. 25-205 is hereby amended to read as
36 follows: 25-205. (a) Except as otherwise provided in this section, the
37 names of candidates for national, state, county and township offices shall
38 be printed upon the official primary ballot when each shall have qualified
39 to become a candidate by one of the following methods and none other: (1)
40 They shall have had filed in their behalf, not later than ~~12:00~~ 12 noon,
41 June ~~10~~ 1, prior to such primary election, or if such date falls on Saturday,
42 Sunday or a holiday, then before ~~12:00~~ 12 noon of the next following day
43 that is not a Saturday, Sunday or a holiday, nomination petitions, as

1 provided for in this act, ~~except that in 1998, candidates for judge or district~~
2 ~~magistrate judge of the district court for positions created in 1998 in those~~
3 ~~judicial districts that have not approved the proposition of nonpartisan~~
4 ~~selection of judges of the district court shall have filed in their behalf, not~~
5 ~~later than 12:00 noon, July 1, 1998, nomination petitions, as provided for~~
6 ~~in this act; or (2) they shall have filed not later than the time for filing~~
7 nomination petitions, as above provided, with the proper officer a
8 declaration of intention to become a candidate, accompanied by the fee
9 required by law. Such declaration shall be prescribed by the secretary of
10 state.

11 (b) Nomination petitions shall be in substantially the following form:

12 I, the undersigned, an elector of the county of _____, and
13 state of Kansas, and a duly registered voter, and a member of
14 _____ party, hereby nominate _____, who resides in
15 the township of _____ (or at number _____ on
16 _____ street, city of _____), in the county of
17 _____ and state of Kansas, as a candidate for the office of (here
18 specify the office) _____, to be voted for at the primary
19 election to be held on the first Tuesday in August in _____, as
20 representing the principles of such party; and I further declare that I intend
21 to support the candidate herein named and that I have not signed and will
22 not sign any nomination petition for any other person, for such office at
23 such primary election.

24 (HEADING)

25 Name of	Street Number	Name of	Date of
26 Signers.	or Rural Route	City	Signing.
27	(as registered).		

28 All nomination petitions shall have substantially the foregoing form,
29 written or printed at the top thereof. No signature shall be counted unless it
30 is upon a sheet having such written or printed form at the top thereof.

31 (c) Each signer of a nomination petition shall sign but one such
32 petition for the same office, and shall declare that such person intends to
33 support the candidate therein named, and shall add to such person's
34 signature and residence, if in a city, by street and number (if any); or,
35 otherwise by post-office address. No signature shall be counted unless the
36 place of residence of the signer is clearly indicated and the date of signing
37 given as herein required and if ditto marks are used to indicate address
38 they shall be continuous and clearly made. Such sheets shall not be cut or
39 pasted together.

40 (d) All signers of each separate nomination petition shall reside in the
41 same county and election district of the office sought. The affidavit
42 described in this paragraph of a petition circulator who is a resident of the
43 state of Kansas and has the qualifications of an elector in the state of

1 Kansas or of the candidate shall be appended to each petition and shall
2 contain, at the end of each set of documents carried by each circulator, a
3 verification, signed by the circulator or the candidate, to the effect that
4 such circulator or the candidate personally witnessed the signing of the
5 petition by each person whose name appears thereon.

6 (e) Except as otherwise provided in subsection (g), nomination
7 petitions shall be signed:

8 (1) If for a state officer elected on a statewide basis or for the office
9 of United States senator, by voters equal in number to not less than 1% of
10 the total of the current voter registration of the party designated in the state
11 as compiled by the office of the secretary of state;

12 (2) If for a state or national officer elected on less than a statewide
13 basis, by voters equal in number to not less than 2% of the total of the
14 current voter registration of the party designated in such district as
15 compiled by the office of the secretary of state, except that for the office of
16 district magistrate judge, by not less than 2% of the total of the current
17 voter registration of the party designated in the county in which such office
18 is to be filled as certified to the secretary of state in accordance with
19 K.S.A. 25-3302, and amendments thereto;

20 (3) If for a county office, by voters equal in number to not less than
21 3% of the total of the current voter registration of the party designated in
22 such district or county as compiled by the county election officer and
23 certified to the secretary of state in accordance with K.S.A. 25-3302, and
24 amendments thereto; and

25 (4) If for a township office, by voters equal in number to not less than
26 3% of the total of the current voter registration of the party designated in
27 such township as compiled by the county election officer and certified to
28 the secretary of state in accordance with K.S.A. 25-3302, and amendments
29 thereto.

30 (f) Subject to the requirements of K.S.A. 25-202, and amendments
31 thereto, any political organization filing nomination petitions for a
32 majority of the state or county offices, as provided in this act, shall have a
33 separate primary election ballot as a political party and, upon receipt of
34 such nomination petitions, the respective officers shall prepare a separate
35 state and county ballot for such new party in their respective counties or
36 districts thereof in the same manner as is provided for existing parties.

37 (g) In any year in which districts are reapportioned for the offices of
38 representative in the United States congress, senator and representative in
39 the legislature of the state of Kansas or member of the state board of
40 education:

41 (1) If new boundary lines are defined and districts established in the
42 manner prescribed by law on or before May 10, nomination petitions for
43 nomination to such offices shall be signed by voters equal in number to not

1 less than 1% of the total of the current voter registration of the party
2 designated in the district as compiled by the office of the secretary of state.

3 (2) If new boundary lines are defined and districts established in the
4 manner prescribed by law on or after May 11, nomination petitions for
5 nomination to the following offices shall be signed by registered voters of
6 the party designated in the district equal in number to not less than the
7 following:

8 (A) For the office of representative in the
9 United States congress.....1,000 registered voters;

10 (B) for the office of member of the state
11 board of education.....300 registered voters;

12 (C) for the office of state senator.....75 registered voters; and

13 (D) for the office of state representative.....25 registered voters.

14 (h) In any year in which districts are reapportioned for the offices of
15 representative in the United States congress, senator and representative in
16 the legislature of the state of Kansas or member of the state board of
17 education:

18 (1) If new boundary lines are defined and districts established in the
19 manner prescribed by law on or before ~~June~~May 10, the deadline for filing
20 nomination petitions and declarations of intention to become a candidate
21 for such office, accompanied by the fee required by law, shall be ~~12:00~~ 12
22 noon on June ~~24~~10, or if such date falls on a Saturday, Sunday or a
23 holiday, then before ~~12:00~~ 12 noon of the next following day that is not a
24 Saturday, Sunday or holiday.

25 (2) If new boundary lines are defined and districts established in the
26 manner prescribed by law on or after ~~June~~May 11, the deadline for filing
27 nomination petitions and declarations of intention to become a candidate
28 for such office, accompanied by the fee required by law, shall be ~~12:00~~ 12
29 noon on ~~July 12~~June 18, or if such date falls on a Saturday, Sunday or
30 holiday, then before ~~12:00~~ 12 noon of the next day that is not a Saturday,
31 Sunday or holiday.

32 Sec. 6. K.S.A. 25-4004 is hereby amended to read as follows: 25-
33 4004. The provisions of K.S.A. 25-205, and amendments thereto, shall not
34 apply to the offices of governor and lieutenant governor. The names of
35 candidates for governor and lieutenant governor shall be printed upon the
36 official primary ballot when each pair thereof shall have qualified to
37 become candidates in one or the other of the following methods and none
38 other: *First*, they shall have had filed in their behalf, not later than ~~twelve~~
39 ~~o'clock~~ 12 noon, June ~~10~~ 1, prior to such primary election, or if such date
40 falls on Saturday, Sunday or a legal holiday, then before ~~twelve o'clock~~ 12
41 noon the following business day, nomination papers, commonly called
42 nomination petitions, as provided for in K.S.A. 25-4005, and amendments
43 thereto; or, *second*, they shall have filed not later than the time for filing

1 nomination papers, as above provided, with the secretary of state, as
2 hereinafter prescribed, a declaration of intention to become candidates,
3 accompanied by a fee as provided in K.S.A. 25-4006, and amendments
4 thereto.

5 New Sec. 7. (a) No candidate for elected office shall either appear
6 in a public service announcement or advertisement or allow the candidate's
7 name to be used in a public service announcement or advertisement during
8 the 60 days before any election in which the candidate's name appears on
9 the ballot.

10 (b) (1) "Public service announcement or advertisement" means any
11 message paid for with public sector funds or private sector funds from the
12 current contractor of the sponsoring government entity and broadcast or
13 distributed by electronic, telephonic or print media promoting or
14 announcing some issue of public importance, public concern or public
15 welfare.

16 (2) "Public service announcement or advertisement" shall not include
17 any news stories or articles, editorial endorsements, opinion or
18 commentary writings, or letters to the editor printed in a newspaper,
19 magazine or other periodical or broadcast media not owned or controlled
20 by the candidate.

21 (c) "Electronic media" shall not include the website for the
22 government agency or other entity that administers the program promoted
23 by the public service announcement or advertisement.

24 (d) "Print media" means direct mail literature and advertisements in
25 any newspaper, magazine or any other periodical publication, but it shall
26 not include printed literature promoting a program so long as it is used
27 regularly throughout the year in the regular course of business and it is not
28 distributed in an unsolicited direct mail advertising campaign at a cost
29 exceeding \$2,000 during the 60 days before any election in which the
30 candidate's name appears on the ballot.

31 (e) Any person who intentionally violates this section shall be subject
32 to the civil penalties provided by K.S.A. 25-4181, and amendments
33 thereto.

34 (f) This act shall be part of and supplemental to the campaign finance
35 act.

36 Sec. 8. K.S.A. 2010 Supp. 25-4501 is hereby amended to read as
37 follows: 25-4501. (a) Subject to the provisions of this section, there shall
38 be held a presidential preference primary election in the year ~~2012~~2016,
39 and every fourth year thereafter.

40 (b) On or before November 1, ~~2011~~2015, and on or before November
41 1 every fourth year thereafter, the secretary of state shall certify to the
42 governor, to the chief clerk of the house of representatives and to the
43 secretary of the senate a common date in the next succeeding year on

1 which at least five other states will hold a presidential preference primary
2 election, a delegate or mass convention or a caucus of qualified voters at
3 which delegates to a national convention are selected. On or before each
4 such date, if the secretary of state determines that there is no common date
5 on which at least five states are conducting such a selection process in the
6 next succeeding year, the secretary of state shall certify to the governor,
7 the chief clerk of the house of representatives and the secretary of the
8 senate on a date, which shall be on or before the first Tuesday in April of
9 the next following year, on which the presidential preference primary
10 election shall be held.

11 (c) The date certified by the secretary of state pursuant to subsection
12 (b) shall be the date on which the presidential preference primary election
13 authorized by subsection (a) shall be held in the state of Kansas.

14 Sec. 9. K.S.A. 25-4502 is hereby amended to read as follows: 25-
15 4502. (a) Every registered elector who has declared such elector's party
16 affiliation with a political party eligible to participate in a state primary
17 election shall have the opportunity to vote one vote at a presidential
18 preference primary election for such elector's preference for one person to
19 be the candidate for nomination by such candidate's party for president of
20 the United States or for "none of the names shown." Any registered
21 elector who has not declared such candidate's party affiliation prior to the
22 election may make such a declaration at the polling place, and thereupon
23 shall be permitted likewise the opportunity to vote one vote at the
24 presidential preference primary. A vote for "none of the names shown"
25 shall express the preference for an uncommitted delegation from Kansas to
26 the national convention of that elector's party. Preference shall be indicated
27 by marking with a cross or check mark inside a voting square *or a*
28 *darkened oval* on the ballot at the left of the voter's choice, or by voting by
29 using a voting machine.

30 (b) The name of any candidate for a political party nomination for
31 president of the United States shall be printed on the ballots only if, not
32 later than ~~twelve o'clock~~ 12 noon, ~~February 12 prior to~~ *on the date which*
33 *precedes by seven weeks the date of* the presidential preference primary or,
34 if such date falls on Saturday, Sunday or a holiday, not later than ~~twelve~~
35 ~~o'clock~~ 12 noon the following day that is not a Saturday, Sunday or
36 holiday:

37 (1) The candidate files with the secretary of state a declaration of
38 intent to become a candidate accompanied by a fee of \$100; or

39 (2) there is filed in the office of secretary of state a petition in the
40 form prescribed by K.S.A. 25-205, and amendments thereto, signed by not
41 less than 1,000 registered electors, who are affiliated with the political
42 party of such candidate as shown by the party affiliation list. The secretary
43 of state shall determine the sufficiency of each such petition, and such

1 determination shall be final.

2 Sec. 10. K.S.A. 25-4503 is hereby amended to read as follows: 25-
3 4503. (a) The names of the candidates for nomination for president of the
4 United States by a political party eligible to participate in a state primary
5 election shall be printed on the official ballots for the presidential
6 preference primary elections of their respective parties along with the
7 choice of "none of the names shown." The ballots shall be marked,
8 returned and canvassed in the same manner and under the same conditions,
9 so far as the same are applicable, as in the case of the primary election of
10 candidates for nomination for state offices.

11 (b) The official presidential preference primary election ballots shall
12 be printed in a single column and shall have the following heading:

13 OFFICIAL PRESIDENTIAL
14 PREFERENCE PRIMARY
15 ELECTION BALLOT
16 _____ Party

17 To vote for a person whose name is printed on the ballot make a cross
18 or check mark in the square, *or darken the oval*, to the left of the name of
19 the person for whom you desire to vote. To vote for "none of the names
20 shown" make a cross or check mark in the square to the left of such words.

21 This shall be followed by the names of the candidates for president of
22 the United States of such party in the manner and order certified by the
23 secretary of state.

24 (c) As soon as possible after ~~February 12~~ *the candidate filing*
25 *deadline*, the secretary of state shall certify to each county election officer
26 the name of each person who is a candidate for nomination to be president
27 of the United States of each party authorized to participate in the
28 presidential preference primary election. The secretary of state shall
29 publish, not less than 21 days prior to the presidential preference primary,
30 a notice in one newspaper in each county of the state where a newspaper is
31 published, that the official list of candidates and the date of the election
32 can be acquired in the office of the secretary of state or the office of the
33 county election officer.

34 (d) When a party participating in the presidential preference primary
35 election has more than one candidate, the secretary of state shall determine
36 by lot the order in which the candidates' names will appear on the ballot.
37 The order of names, as established by the secretary of state, shall be
38 uniform in each county throughout the state.

39 Sec. 11. K.S.A. 25-321 is hereby amended to read as follows: 25-321.
40 A person appointed to the office of state representative under the
41 provisions of this act may hold the office for the remainder of the term.
42 Any person appointed to the office of senator under the provisions of this
43 act may hold the office: (a) If the vacancy occurs prior to ~~October 15~~ *May*

1 I of the second year of the term, until the next general election, when a
 2 senator shall be elected to fill the term; or (b) if such vacancy occurs *on or*
 3 ~~after October 14~~ *May 1* of the second year of the term, for the remainder of
 4 the term. In cases where the appointment of a senator is until the next
 5 general election, *nomination and election of such successor shall be in the*
 6 *same manner as nomination and election of a senator for a regular*
 7 *term.* ~~nominations for senator to be elected at such general election shall be~~
 8 ~~made as follows: (1) If the vacancy occurs prior to June 1 of the second~~
 9 ~~year of the term, candidates for the office shall be nominated at the~~
 10 ~~primary in like manner as regular nominations for state senator are made;~~
 11 ~~and (2) if the vacancy occurs on or after June 1 and prior to October 15 of~~
 12 ~~the second year of the term, candidates for the office shall be nominated by~~
 13 ~~the senatorial district party committee of any party having a state and~~
 14 ~~national organization.~~

15 Sec. 12. K.S.A. 2010 Supp. 25-4156 is hereby amended to read as
 16 follows: 25-4156. (a) (1) Whenever any person sells space in any
 17 newspaper, magazine or other periodical to a candidate or to a candidate
 18 committee, party committee or political committee, the charge made for
 19 the use of such space shall not exceed the charges made for comparable
 20 use of such space for other purposes.

21 (2) Intentionally charging an excessive amount for political
 22 advertising is a class A misdemeanor.

23 (b) (1) Corrupt political advertising of a state or local office is:

24 (A) Publishing or causing to be published in a newspaper or other
 25 periodical any paid matter which expressly advocates the nomination,
 26 election or defeat of a clearly identified candidate for a state or local
 27 office, unless ~~such~~ *the paid* matter is followed by the word "advertisement"
 28 or the abbreviation "adv." in a separate line together with the name of the
 29 chairperson or treasurer of the political or other organization sponsoring
 30 the ~~same~~ *paid matter* or the name of the individual who is responsible
 31 therefor;

32 (B) broadcasting or causing to be broadcast by any radio or television
 33 station any paid matter which expressly advocates the nomination, election
 34 or defeat of a clearly identified candidate for a state or local office, unless
 35 ~~such matter is followed by a statement which states: "Paid for" or~~
 36 ~~"Sponsored by" followed by the name of the sponsoring organization and~~
 37 ~~the name of the chairperson or treasurer of the political or other~~
 38 ~~organization sponsoring the same or the name of the individual who is~~
 39 ~~responsible therefor;~~ *such paid matter includes a disclosure statement*
 40 *which is spoken and contains at least the following words:*

41 (a) *If spoken by a candidate "I am" or "This is"*
 42 *(name of candidate)*
 43 *candidate for _____ and I _____*

1 candidate committee, a political committee or a party committee and such
2 website, e-mail or other internet communication viewed by or
3 disseminated to at least 25 individuals. For the purposes of this
4 subparagraph, the terms "candidate," "candidate committee," "party
5 committee" and "political committee" shall have the meanings ascribed to
6 them in K.S.A. 25-4143, and amendments thereto.

7 (2) Corrupt political advertising of a state or local office is a class C
8 misdemeanor.

9 (c) If any provision of this section or application thereof to any
10 person or circumstance is held invalid, such invalidity does not affect other
11 provisions or applications of this section which can be given effect without
12 the invalid application or provision, and to this end the provisions of this
13 section are declared to be severable.

14 **Sec 13. K.S.A. 2010 Supp. 25-4119f is hereby amended to read as**
15 **follows: 25-4119f. (a) In addition to any other fee required by law, every**
16 **person becoming a candidate for the following offices shall pay a fee at**
17 **the time of filing for such office in the amount prescribed by this**
18 **section:**

19 (1) **Governor and lieutenant governor.....\$480\$1,000;**

20 (2) **state offices elected by statewide election, other than the**
21 **governor and lieutenant governor\$480\$1,000;**

22 (3) ~~state senator, state representative, state board of education,~~
23 ~~district attorney, board of public utilities of the city of Kansas City and~~
24 ~~elected county offices.....\$35\$200; and~~

25 (4) ~~state representative, state board of education, elected county~~
26 ~~offices, district attorney and judges of the district court in judicial districts~~
27 ~~in which judges are elected.....\$150; and~~

28 (4)(5) **members of boards of education of unified school districts**
29 **having 35,000 or more pupils regularly enrolled in the preceding school**
30 **year, members of governing bodies of cities of the first class and judges**
31 **of the district court in judicial districts in which judges are elected and**
32 **members of the Kansas City board of public utilities.....\$35\$75.**

33 (b) **The secretary of state shall remit all fees received by that office**
34 **to the state treasurer in accordance with the provisions of K.S.A. 75-**
35 **4215, and amendments thereto. County election officers receiving fees in**
36 **accordance with this section shall remit such fees to the county treasurer**
37 **of the county who shall quarterly remit the same to the state treasurer.**
38 **Upon receipt of each such remittance, the state treasurer shall deposit**
39 **the entire amount in the state treasury to the credit of the governmental**
40 **ethics commission fee fund.**

41 **Sec. 14. K.S.A. 2010 Supp. 25-4145 is hereby amended to read as**
42 **follows: 25-4145. (a) Each party committee and each political committee**
43 **which anticipates receiving contributions or making expenditures shall**

1 *appoint a chairperson and a treasurer. The chairperson of each party*
2 *committee and each political committee which anticipates receiving*
3 *contributions or making expenditures for a candidate for state office*
4 *shall make a statement of organization and file it with the secretary of*
5 *state not later than 10 days after establishment of such committee. The*
6 *chairperson of each political committee which anticipates receiving*
7 *contributions or making expenditures for any candidate for local office,*
8 *shall make a statement of organization and file it with the county*
9 *election officer not later than 10 days after establishment of such*
10 *committee.*

11 *(b) Every statement of organization shall include:*

12 *(1) The name and address of the committee. The name of the*
13 *committee shall reflect the full name of the organization with which the*
14 *committee is connected or affiliated or sufficiently describe such*
15 *affiliation. If the political committee is not connected or affiliated with*
16 *any one organization, the name shall reflect the trade, profession or*
17 *primary interest of the committee as reflected by the statement of*
18 *purpose of such organization;*

19 *(2) the names and addresses of the chairperson and treasurer of the*
20 *committee;*

21 *(3) the names and addresses of affiliated or connected*
22 *organizations; and*

23 *(4) in the case of a political committee, the full name of the*
24 *organization with which the committee is connected or affiliated or,*
25 *name or description sufficiently describing the affiliation or, if the*
26 *committee is not connected or affiliated with any one organization, the*
27 *trade, profession or primary interest of the political committee as*
28 *reflected by the statement of purpose of such organization.*

29 *(c) Any change in information previously reported in a statement of*
30 *organization shall be reported on a supplemental statement of*
31 *organization and filed not later than 10 days following the change.*

32 *(d) (1) Each political committee which anticipates receiving*
33 *contributions shall register annually with the commission on or before*
34 *July 1 of each year. Each political committee registration shall be in the*
35 *form and contain such information as may be required by the*
36 *commission.*

37 *(2) Each registration by a political committee anticipating the*
38 *receipt of \$2,501 or more in any calendar year shall be accompanied by*
39 *an annual registration fee of ~~\$240~~\$500.*

40 *(3) Each registration by a political committee anticipating the*
41 *receipt of more than \$500 but less than \$2,501 in any calendar year*
42 *shall be accompanied by an annual registration fee of ~~\$35~~\$70.*

43 *(4) Each registration by a political committee anticipating the*

1 receipt of \$500 or less in any calendar year shall be accompanied by an
2 annual registration fee of ~~\$20~~\$40.

3 (5) Any political committee which is currently registered under
4 subsection (d)(3) or (d)(4) and which receives contributions in excess of
5 \$2,500 for a calendar year, shall file, within three days of the date when
6 contributions exceed such amount, an amended registration form which
7 shall be accompanied by an additional fee for such year equal to the
8 difference between ~~\$240~~\$500 and the amount of the fee that
9 accompanied the current registration.

10 (6) Any political committee which is currently registered under
11 subsection (d)(4) and which receives contributions in excess of \$500 but
12 which are less than \$2,501, shall file, within three days of the date when
13 contributions exceed \$500, an amended registration form which shall be
14 accompanied by an additional fee of ~~\$20~~\$30 for such year.

15 (e) All such fees received by or for the commission shall be remitted
16 to the state treasurer in accordance with the provisions of K.S.A. 75-
17 4215, and amendments thereto. Upon receipt of each such remittance,
18 the state treasurer shall deposit the entire amount in the state treasury to
19 the credit of the governmental ethics commission fee fund.

20 Sec. 15. K.S.A. 2010 Supp. 46-265 is hereby amended to read as
21 follows: 46-265. (a) Every lobbyist shall register with the secretary of
22 state by completing and signing a registration form prescribed and
23 provided by the commission. Such registration shall show the name and
24 address of the lobbyist, the name and address of the person
25 compensating the lobbyist for lobbying, the purpose of the employment
26 and the method of determining and computing the compensation of the
27 lobbyist. If the lobbyist is compensated or to be compensated for
28 lobbying by more than one employer or is to be engaged in more than
29 one employment, the relevant facts listed above shall be stated separately
30 for each employer and each employment. Whenever any new lobbying
31 employment or lobbying position is accepted by a lobbyist already
32 registered as provided in this section, such lobbyist shall report the same
33 on forms prescribed and provided by the commission before engaging in
34 any lobbying activity related to such new employment or position, and
35 such report shall be filed with the secretary of state. When a lobbyist is
36 an employee of a lobbying group or firm which contracts to lobby and
37 not an owner or partner of such entity, the lobbyist shall report each
38 client of the group, firm or entity whose interest the lobbyist represents.
39 Whenever the lobbying of a lobbyist concerns a legislative matter, the
40 secretary of state promptly shall transmit copies of each registration and
41 each report filed under this act to the secretary of the senate and the
42 chief clerk of the house of representatives.

43 (b) On or after October 1, in any year any person may register as a

1 lobbyist under this section for the succeeding calendar year. Such
2 registration shall expire annually on December 31, of the year for which
3 the lobbyist is registered. In any calendar year, before engaging in
4 lobbying, persons to whom this section applies shall register or renew
5 their registration as provided in this section. Except for employees of
6 lobbying groups or firms, every person registering or renewing
7 registration who anticipates spending \$1,000 or less for lobbying in such
8 registration year on behalf of any one employer shall pay to the
9 secretary of state a fee of ~~\$35~~\$100 for lobbying for each such employer.
10 Except for employees of lobbying groups or firms, every person
11 registering or renewing registration who anticipates spending more than
12 \$1,000 for lobbying in such registration year on behalf of any one
13 employer shall pay to the secretary of state a fee of ~~\$300~~\$400 for
14 lobbying for such employer. Any lobbyist who at the time of initial
15 registration anticipated spending less than \$1,000, on behalf of any one
16 employer, but at a later date spends in excess of such amount, within
17 three days of the date when expenditures exceed such amount, shall file
18 an amended registration form which shall be accompanied by an
19 additional fee of ~~\$220~~\$300 for such year. Every person registering or
20 renewing registration as a lobbyist who is an employee of a lobbying
21 group or firm and not an owner or partner of such entity shall pay an
22 annual fee of ~~\$360~~\$450. The secretary of state shall remit all moneys
23 received under this section to the state treasurer in accordance with the
24 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
25 each such remittance, the state treasurer shall deposit the entire amount
26 in the state treasury to the credit of the governmental ethics commission
27 fee fund.

28 (c) Any person who has registered as a lobbyist pursuant to this act
29 may file, upon termination of such person's lobbying activities, a
30 statement terminating such person's registration as a lobbyist. Such
31 statement shall be on a form prescribed by the commission and shall
32 state the name and address of the lobbyist, the name and address of the
33 person compensating the lobbyist for lobbying and the date of the
34 termination of the lobbyist's lobbying activities.

35 (d) No person who has failed or refused to pay any civil penalty
36 imposed pursuant to K.S.A. 46-280, and amendments thereto, shall be
37 authorized or permitted to register as a lobbyist in accordance with this
38 section until such penalty has been paid in full.

39 Sec. 16. K.S.A. 46-269 is hereby amended to read as follows: 46-
40 269. Each report required to be filed by K.S.A. 46-268, and amendments
41 thereto, is a public record and shall be open to public inspection upon
42 request. Such report shall disclose the following:

43 (a) The full name and address of each person who has paid

1 *compensation for lobbying to the lobbyist or has paid for expenses of*
2 *lobbying by the lobbyist during the period reported.*

3 *(b) The aggregate amount or value of all expenditures made, except*
4 *for expenses of general office overhead, by the lobbyist or by the*
5 *lobbyist's employer for or in direct relation to lobbying during the*
6 *reporting period, if such expenditures exceed \$100. Individual*
7 *expenditures of less than \$2 shall not be required to be reported under*
8 *this subsection. Every lobbyist shall keep detailed accounts of all*
9 *expenditures required to be reported pursuant to K.S.A. 46-268, and*
10 *amendments thereto. Such expenditures shall be reported according to*
11 *the following categories of expenditures:*

12 *(1) Food and beverages provided as hospitality;*

13 *(2) entertainment, gifts, honoraria or payments;*

14 *(3) mass media communications;*

15 *(4) recreation provided as hospitality;*

16 *(5) communications for the purpose of influencing legislative or*
17 *executive action; and*

18 *(6) all other reportable expenditures made in the performance of*
19 *services as a lobbyist.*

20 *With regard to expenditures for entertainment or hospitality which is*
21 *primarily recreation, food and beverages, only amounts expended on a*
22 *state officer or employee or on such officer or employee's spouse shall*
23 *be considered to be for or in direct relation to lobbying. Notwithstanding*
24 *the requirements of this subsection and subsection (d), no lobbyist shall*
25 *be responsible to report any expenditure by the lobbyist's employer of*
26 *which such person has no knowledge.*

27 *(c) (1) In addition to the information reported pursuant to*
28 *subsection (b), each lobbyist expending an aggregate amount of \$100 or*
29 *more for lobbying in any reporting period shall report any gift,*
30 *entertainment or hospitality provided to members of the legislature,*
31 *members of the judicial branch of government and any employees of the*
32 *legislature or judicial branch of government. Such report shall disclose*
33 *the full name of the legislator, member of the judicial branch and*
34 *employee who received such gift, entertainment or hospitality and, the*
35 *amount expended on such gift, entertainment or hospitality and the date*
36 *the expenditure was made.*

37 *(2) No report shall be required to be filed pursuant to this*
38 *subsection (c) for the following:*

39 *(A) Meals, the provision of which is motivated by a personal or*
40 *family relationship;*

41 *(B) meals provided at public events in which the person is attending*
42 *in an official capacity;*

43 *(C) meals provided to a person subject to this section when it is*

1 *obvious such meals are not being provided because of the person's*
2 *official position;*

3 *(D) food such as soft drinks, coffee or snack foods not offered as*
4 *part of a meal; and*

5 *(E) entertainment or hospitality in the form of recreation, food and*
6 *beverages provided at an event to which the following have been invited:*

7 *(i) All members of the legislature or all members of either house of*
8 *the legislature; or*

9 *(ii) all members of a political party caucus of the legislature or all*
10 *members of a political party caucus of either house of the legislature.*

11 *(d) Except as provided by subsection (c), whenever an individual*
12 *lobbyist contributes to a single special event, such lobbyist shall report*
13 *only the aggregate amount or value of the expenditure contributed by*
14 *such lobbyist.*

15 *(e) Whenever more than one lobbyist is employed by a single*
16 *employer, the reports required by this section relating to such employer*
17 *shall be made by only one such lobbyist and that lobbyist shall be the*
18 *lobbyist who is most directly connected with the particular expenditure*
19 *or gift, honoraria or payment. No expenditure or gift, honoraria or*
20 *payment required to be reported by this section shall be reported by more*
21 *than one lobbyist.*

22 *(f) All accounts, records and documents of the lobbyist which relate*
23 *to every expenditure reported or which should have been reported shall*
24 *be maintained and preserved by the lobbyist for a period of five years*
25 *from the date of the filing of such report or statement and may be*
26 *inspected under conditions determined by the commission.*

27 Sec. ~~13~~17. K.S.A. 25-321, 25-1215, 25-1218, 25-4004, 25-4153, 25-
28 4502 and 25-4503 and K.S.A. 2010 Supp. 25-205, 25-1216, ~~25-4119f~~, ~~25-~~
29 ~~4145~~, 25-4156 ~~and~~, 25-4501, ~~46-265 and 46-269~~ are hereby repealed.

30 Sec. ~~14~~18. This act shall take effect and be in force from and after its
31 publication in the statute book.