

SENATE BILL No. 31

By Committee on Ethics and Elections

1-19

1 AN ACT concerning campaign finance; relating to electioneering
2 communication; establishing certain reporting requirements.

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

5 Section 1. (a) Any person who spends or contracts to spend an
6 amount of \$1,000 or more per calendar year for any electioneering
7 communication shall submit a campaign finance report prescribed and
8 provided by the governmental ethics commission for each electioneering
9 communication, which shall include:

10 (1) The name of the clearly identified candidate mentioned in the
11 electioneering communication;

12 (2) the name, street address, city, state and zip code of each
13 individual or other entity that contributes more than \$1,000 per year to
14 such person for an electioneering communication. In addition, the report
15 shall list the occupation of any individual who contributed \$1,000 or
16 more;

17 (3) the name, street address, city, state and zip code of the vendor to
18 whom a payment of more than \$1,000 for such electioneering
19 communication is made or contracted to be made; and

20 (4) the amount spent on or contracted to be spent on such
21 electioneering communication. If the person making the electioneering
22 communication is an individual, such reports shall also include the
23 occupation of such individual. Reports required by this section shall be in
24 addition to any other reports required by law.

25 (b) (1) (A) For an electioneering communication concerning a
26 candidate for state office, the report required by subsection (a) shall be
27 filed only with the secretary of state.

28 (B) For an electioneering communication concerning a candidate for
29 local office, the report required by subsection (a) shall be filed in the
30 office of the county election officer of the county in which the name of
31 the candidate is on the ballot.

32 (2) Except as required by paragraph (3), each report required by
33 subsection (a) shall be filed in time to be received in the offices required
34 in accordance with the times set forth in K.S.A. 25-4148, and
35 amendments thereto.

36 (3) For any electioneering communication occurring during the 11

1 days preceding the election, the report required by subsection (a) shall be
2 filed on or before the close of the second business day following the day
3 in which such funds are spent or contracted to be spent for such
4 electioneering communication.

5 (c) For the purpose of this section:

6 (1) "Electioneering communication" means any communication that
7 reaches 500 or more persons broadcast by television or radio, printed in a
8 newspaper or on a billboard, directly mailed or delivered by hand to
9 personal residences or otherwise distributed that:

10 (A) Unambiguously refers to any clearly identified candidate;

11 (B) is broadcast, printed, mailed, delivered or distributed within 30
12 days before a primary election or 60 days before a general election; or

13 (C) is broadcast to, printed in a newspaper distributed to, mailed to,
14 delivered by hand to or otherwise distributed to an audience that includes
15 members of the electorate for such public office.

16 (2) "Electioneering communication" does not include:

17 (A) Any news articles, editorial endorsements, opinion or
18 commentary writings, or letters to the editor printed in a newspaper,
19 magazine or other periodical not owned or controlled by a candidate or
20 political party;

21 (B) any editorial endorsements or opinions aired by a broadcast
22 facility not owned or controlled by a candidate or political party;

23 (C) any communication by persons made in the regular course and
24 scope of their business or any communication made by a membership
25 organization solely to members of such organization and their families;

26 (D) any communication that refers to any candidate only as part of
27 the popular name of a bill or statute;

28 (E) any communication made solely to promote a candidate debate
29 or forum that is made by or on behalf of the person sponsoring such
30 debate or forum; or

31 (F) any communication made as part of a nonpartisan activity
32 designed to encourage individuals to vote or register to vote.

33 (d) The provisions of this section shall be part of and supplemental
34 to the campaign finance act.

35 Sec. 2. This act shall take effect and be in force from and after its
36 publication in the statute book.

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