

SENATE BILL No. 102

By Committee on Ethics and Elections

Proposed Ballon on Senate Bill 102  
for the Senate Ethics and Election Committee  
01/25/12  
Prepared by Mike Heim

1 AN ACT concerning the governmental ethics commission; amending  
2 K.S.A. 2010 Supp. 25-4119f, 25-4145 and 46-265 and repealing the  
3 existing sections. 2011

4 *Be it enacted by the Legislature of the State of Kansas:* 2011

5 Section 1. K.S.A. 2010 Supp. 25-4119f is hereby amended to read as  
6 follows: 25-4119f. (a) In addition to any other fee required by law, every  
7 person becoming a candidate for the following offices shall pay a fee at  
8 the time of filing for such office in the amount prescribed by this section:

- 9 (1) Governor and lieutenant governor.....\$1,000
- 10 (1) Governor and lieutenant governor.....\$480
- 11 (2) state offices elected by statewide election, other than the  
12 governor and lieutenant governor.....\$1,000
- 13 (3) state senator, state representative, state board of education,  
14 district attorney, board of public utilities of the city of Kansas City and  
15 elected county offices.....\$200
- 16 and
- 17 (4) members of boards of education of unified school districts  
18 having 35,000 or more pupils regularly enrolled in the preceding school  
19 year, members of governing bodies of cities of the first class and judges  
20 of the district court in judicial districts in which judges are elected  
21 .....\$75

22 (b) The secretary of state shall remit all fees received by that office  
23 to the state treasurer in accordance with the provisions of K.S.A. 75-  
24 4215, and amendments thereto. County election officers receiving fees in  
25 accordance with this section shall remit such fees to the county treasurer  
26 of the county who shall quarterly remit the same to the state treasurer.  
27 Upon receipt of each such remittance, the state treasurer shall deposit the  
28 entire amount in the state treasury to the credit of the governmental ethics  
29 commission fee fund.

30 Sec. 2. K.S.A. 2010 Supp. 25-4145 is hereby amended to read as 2011  
31 follows: 25-4145. (a) Each party committee and each political committee  
32 which anticipates receiving contributions or making expenditures shall  
33 appoint a chairperson and a treasurer. The chairperson of each party  
34 committee and each political committee which anticipates receiving  
35 contributions or making expenditures for a candidate for state office shall

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

7 (b) Every statement of organization shall include:

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

15 (2) the names and addresses of the chairperson and treasurer of the  
 16 committee;

17 (3) the names and addresses of affiliated or connected organizations;  
 18 and

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

25 (c) Any change in information previously reported in a statement of  
 26 organization shall be reported on a supplemental statement of  
 27 organization and filed not later than 10 days following the change.

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

33 (2) Each registration by a political committee anticipating the receipt  
 34 of \$2,501 or more in any calendar year shall be accompanied by an  
 35 annual registration fee of ~~\$240~~\$229 \$400

36 (3) Each registration by a political committee anticipating the receipt  
 37 of more than \$500 but less than \$2,501 in any calendar year shall be  
 38 accompanied by an annual registration fee of ~~\$35~~\$105 \$70

39 (4) Each registration by a political committee anticipating the receipt  
 40 of \$500 or less in any calendar year shall be accompanied by an annual  
 41 registration fee of ~~\$20~~\$60 \$40

42 (5) Any political committee which is currently registered under  
 43 subsection (d)(3) or (d)(4) and which receives contributions in excess of

1 \$2,500 for a calendar year, shall file, within three days of the date when  
2 contributions exceed such amount, an amended registration form which  
3 shall be accompanied by an additional fee for such year equal to the  
4 difference between ~~\$240~~\$220 and the amount of the fee that accompanied  
5 the current registration.

\$330

6 (6) Any political committee which is currently registered under  
7 subsection (d)(4) and which receives contributions in excess of \$500 but  
8 which are less than \$2,501, shall file, within three days of the date when  
9 contributions exceed \$500, an amended registration form which shall be  
10 accompanied by an additional fee of ~~\$20~~\$45 for such year.

\$80

11 (e) All such fees received by or for the commission shall be remitted  
12 to the state treasurer in accordance with the provisions of K.S.A. 75-  
13 4215, and amendments thereto. Upon receipt of each such remittance, the  
14 state treasurer shall deposit the entire amount in the state treasury to the  
15 credit of the governmental ethics commission fee fund.

2011

16 Sec. 3. K.S.A. 2010 Supp. 46-265 is hereby amended to read as  
17 follows: 46-265. (a) Every lobbyist shall register with the secretary of  
18 state by completing and signing a registration form prescribed and  
19 provided by the commission. Such registration shall show the name and  
20 address of the lobbyist, the name and address of the person compensating  
21 the lobbyist for lobbying, the purpose of the employment and the method  
22 of determining and computing the compensation of the lobbyist. If the  
23 lobbyist is compensated or to be compensated for lobbying by more than  
24 one employer or is to be engaged in more than one employment, the  
25 relevant facts listed above shall be stated separately for each employer  
26 and each employment. Whenever any new lobbying employment or  
27 lobbying position is accepted by a lobbyist already registered as provided  
28 in this section, such lobbyist shall report the same on forms prescribed  
29 and provided by the commission before engaging in any lobbying activity  
30 related to such new employment or position, and such report shall be filed  
31 with the secretary of state. When a lobbyist is an employee of a lobbying  
32 group or firm which contracts to lobby and not an owner or partner of  
33 such entity, the lobbyist shall report each client of the group, firm or  
34 entity whose interest the lobbyist represents. Whenever the lobbying of a  
35 lobbyist concerns a legislative matter, the secretary of state promptly shall  
36 transmit copies of each registration and each report filed under this act to  
37 the secretary of the senate and the chief clerk of the house of  
38 representatives.

39 (b) On or after October 1, in any year any person may register as a  
40 lobbyist under this section for the succeeding calendar year. Such  
41 registration shall expire annually on December 31, of the year for which  
42 the lobbyist is registered. In any calendar year, before engaging in  
43 lobbying, persons to whom this section applies shall register or renew

1 their registration as provided in this section. Except for employees of  
 2 lobbying groups or firms, every person registering or renewing  
 3 registration who anticipates spending \$1,000 or less for lobbying in such  
 4 registration year on behalf of any one employer shall pay to the secretary  
 5 of state a fee of ~~\$35~~~~\$10~~ for lobbying for each such employer. Except for  
 6 employees of lobbying groups or firms, every person registering or  
 7 renewing registration who anticipates spending more than \$1,000 for  
 8 lobbying in such registration year on behalf of any one employer shall  
 9 pay to the secretary of state a fee of ~~\$300~~~~\$200~~ for lobbying for such  
 10 employer. Any lobbyist who at the time of initial registration anticipated  
 11 spending less than \$1,000, on behalf of any one employer, but at a later  
 12 date spends in excess of such amount, within three days of the date when  
 13 expenditures exceed such amount, shall file an amended registration form  
 14 which shall be accompanied by an additional fee of ~~\$220~~~~\$70~~ for such  
 15 year. Every person registering or renewing registration as a lobbyist who  
 16 is an employee of a lobbying group or firm and not an owner or partner of  
 17 such entity shall pay an annual fee of ~~\$360~~~~\$100~~. The secretary of state  
 18 shall remit all moneys received under this section to the state treasurer in  
 19 accordance with the provisions of K.S.A. 75-4215, and amendments  
 20 thereto. Upon receipt of each such remittance, the state treasurer shall  
 21 deposit the entire amount in the state treasury to the credit of the  
 22 governmental ethics commission fee fund.

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

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

34 Sec. 4. K.S.A.-2010 Supp. 25-4119f, 25-4145 and 46-265 are hereby  
 35 repealed. 2011

36 Sec. 5. This act shall take effect and be in force from and after its  
 37 publication in the statute book.  
 38