

SESSION OF 2011

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2128

As Amended by House Committee of the Whole

Brief*

HB 2128 would prohibit candidates running for public office from appearing in public service announcements or having their name appear in public services announcements paid for with government funds, or certain specified private funds, beginning 60 days before the primary election and continuing through the general election. These prohibitions would extend to both electronic and print media; however, the agency website and regularly used print material of the office would be excluded. Under the bill, a candidate who violates these provisions would be subject to civil fines.

Background

The Kansas State Treasurer testified that the difference between public service announcements and campaign commercials had been blurred during election season as candidates carried out their statutory duty while also attempting to help themselves win re-election. He stated this bill would allow the office to continue to promote and administer its statutory duties without directly referencing the candidate.

There was no opponent testimony.

The House Committee on Elections amended the bill to clarify that private funds from the contractor that is currently working with sponsoring government programs could not be used to fund public service announcements under this law. Also, the penalty for violating these provisions was added.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The Committee of the Whole amended the bill to eliminate the window between the primary and general elections where the advertisements could restart.

The fiscal note prepared by the Division of Budget indicates no fiscal impact on state revenues or expenditures.