

As Amended by House Committee

Session of 2017

HOUSE BILL No. 2011

By Representative Esau

1-5

1 AN ACT concerning campaign finance; relating to campaign
2 contributions; amending ~~K.S.A. 25-4149~~ and K.S.A. 2016 Supp. 25-
3 4153 and repealing the existing ~~sections~~ **section**.

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

6 Section 1. ~~K.S.A. 25-4149 is hereby amended to read as follows: 25-~~
7 ~~4149. (a) All contributions and other receipts received and expenditures~~
8 ~~made from and including the January 1 following one general election date~~
9 ~~until and including the next ensuing primary election date shall be~~
10 ~~allocated to the primary election on such date. All contributions and other~~
11 ~~receipts received and expenditures made from midnight on the date of a~~
12 ~~primary election through and including the December 31 following the~~
13 ~~date of the next ensuing general election shall be allocated to the general~~
14 ~~election on such date.~~

15 ~~(b) For the purposes of allocating, pursuant to subsection (a),~~
16 ~~contributions to or expenditures by a candidate seeking nomination by~~
17 ~~convention or caucus or such candidate's candidate committee, the date of~~
18 ~~such *the* convention or caucus shall be considered the primary election~~
19 ~~date.~~

20 ~~(c) *Nothing in this section shall prohibit any candidate from receiving*~~
21 ~~*contributions for the candidate's general election during the primary*~~
22 ~~*election period under subsection (a). If for any reason, a candidate does*~~
23 ~~*not run for a general election for which the candidate has received*~~
24 ~~*general election contributions during the primary election period, the*~~
25 ~~*candidate shall return such contributions to the contributors. Any*~~
26 ~~*contributions received for the general election during the primary election*~~
27 ~~*period may not be expended during the primary election period.*~~

28 **See. 2. Section 1.** K.S.A. 2016 Supp. 25-4153 is hereby amended to
29 read as follows: 25-4153. (a) The aggregate amount contributed to a
30 candidate and ~~such *the*~~ candidate's candidate committee and to all party
31 committees and political committees and dedicated to ~~such *the*~~ candidate's
32 campaign, by any political committee or any person except a party
33 committee, the candidate or the candidate's spouse, shall not exceed the
34 following:

35 (1) For the pair of offices of governor and lieutenant governor or for
36 other state officers elected from the state as a whole, ~~\$2,000~~ \$4,000 for

1 each primary election (or in lieu thereof a caucus or convention of a
2 political party) and an equal amount for each general election.

3 (2) *Except as provided in subsection (a)(4), for the office of member*
4 *of the house of representatives, district judge, district magistrate judge,*
5 *district attorney or a candidate for local office,*~~\$500~~ *\$1,000 for each*
6 *primary election (or in lieu thereof a caucus or convention of a political*
7 *party) and an equal amount for each general election.*

8 (3) For the office of state senator or member of the state board of
9 education,~~\$1,000~~ *\$2,500 for each primary election (or in lieu thereof a*
10 *caucus or convention of a political party) and an equal amount for each*
11 *general election.*

12 (4) *For the office of any county officer whose district population*
13 *exceeds 75,000, \$2,500 for each primary election (or in lieu thereof a*
14 *caucus or convention of a political party) and an equal amount for each*
15 *general election.*

16 (b) For the purposes of this section, the face value of a loan at the end
17 of the period of time allocable to the primary or general election is the
18 amount subject to the limitations of this section. A loan in excess of the
19 limits herein provided may be made during the allocable period if ~~such~~ *the*
20 loan is reduced to the permissible level, when combined with all other
21 contributions from the person making ~~such~~ *the* loan, at the end of ~~such~~ *the*
22 allocable period.

23 (c) For the purposes of this section, all contributions made by
24 unemancipated children under 18 years of age shall be considered to be
25 contributions made by the parent or parents of ~~such~~ *the* children. The total
26 amount of ~~such~~ *the* contribution shall be attributed to a single custodial
27 parent and 50% of such contribution to each of two parents.

28 (d) The aggregate amount contributed to a state party committee by a
29 person other than a national party committee or a political committee shall
30 not exceed ~~\$15,000~~ *\$30,000* in each calendar year; and the aggregate
31 amount contributed to any other party committee by a person other than a
32 national party committee or a political committee shall not exceed ~~\$5,000~~
33 *\$10,000* in each calendar year.

34 The aggregate amount contributed by a national party committee to a
35 state party committee shall not exceed ~~\$25,000~~ *\$50,000* in any calendar
36 year, and the aggregate amount contributed to any other party committee
37 by a national party committee shall not exceed ~~\$10,000~~ *\$20,000* in any
38 calendar year.

39 The aggregate amount contributed to a party committee by a political
40 committee shall not exceed ~~\$5,000~~ *\$10,000* in any calendar year.

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

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

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

8 (1) For the pair of offices of governor and lieutenant governor and for
9 each of the other state officers elected from the state as a whole, ~~\$2,000~~
10 \$4,000 for each primary election (or in lieu thereof a caucus or convention
11 of a political party).

12 (2) *Except as provided in subsection (g)(4)*, for the office of member
13 of the house of representatives, district judge, district magistrate judge,
14 district attorney or a candidate for local office, ~~\$500~~ \$1,000 for each
15 primary election (or in lieu thereof a caucus or convention of a political
16 party).

17 (3) For the office of state senator or member of the state board of
18 education, ~~\$1,000~~ \$2,500 for each primary election (or in lieu thereof a
19 caucus or convention of a political party).

20 (4) *For the office of any county officer whose district population*
21 *exceeds 75,000, \$2,500 for each primary election (or in lieu thereof a*
22 *caucus or convention of a political party) and an equal amount for each*
23 *general election.*

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

27 (i) No person shall make any contribution or contributions to any
28 candidate or the candidate committee of any candidate in the form of
29 money or currency of the United States which in the aggregate exceeds
30 \$100 for any one primary or general election, and no candidate or
31 candidate committee of any candidate shall accept any contribution or
32 contributions in the form of money or currency of the United States which
33 in the aggregate exceeds \$100 from any one person for any one primary or
34 general election.

35 ~~Sec. 3. 2. K.S.A. 25-4149 and K.S.A. 2016 Supp. 25-4153 are~~ is
36 hereby repealed.

37 ~~Sec. 4. 3.~~ This act shall take effect and be in force from and after its
38 publication in the statute book.