

STATE OF KANSAS
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ETHAN CORSON
7TH DISTRICT

SB 485 – PROPONENT TESTIMONY

Chairwoman Bowers, Vice Chairwoman McGinn, Ranking Member Faust-Goudeau, and members of the Committee:

Thank you for the opportunity to testify on behalf of SB 485. This bill would permit a candidate or office holder to use campaign funds to pay for caregiving expenses for an immediate family member who is a child, disabled, or elderly when such expenses are incurred as a result of the candidate's candidacy for office or holding office and are directly related to or have an effect on the candidate's campaign activities or duties as an office holder.

I have attached a short amendment to be added to the bill to further clarify the limited circumstances in which campaign funds can be used for family caregiving services.

SB 485 is consistent with, and builds upon, the Kansas Governmental Ethics Commission's 2018 opinion holding that childcare expenses that would not exist absent a person's candidacy for public office, and where those expenses have a direct connection with or effect on the candidate's campaign, may be paid with campaign funds. [KGEC Op. 2018-04]

It is also in-line with a unanimous and bipartisan 2018 opinion by the Federal Election Commission approving using campaign funds on childcare. Since that time, over 50 federal candidates – 30 moms and 21 dads, Republicans and Democrats – have used campaign funds to pay for childcare.

Passage of SB 485 would also put Kansas on-par with states across the country. **In fact, Kansas is one of 14 states this year alone to introduce legislation that would codify the use of campaign funds for caregiving services.** 26 states currently allow candidates to use campaign funds for childcare: 15 through legislation, 11 through ethics commission rulings, and one through an Attorney General Advisory Opinion.

In those 26 states, since 2018, over 60 state and local candidates have used campaign funds to pay for childcare – 23 moms and 39 dads.

To summarize, passage of SB 485 would harmonize Kansas's statutes with rulings from the Federal Election Commission, the Kansas Governmental Ethics Commission, and states around

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the country. It would also eliminate one of the most critical economic barriers faced by working parents and caregivers running for and serving in office.

I hope the Committee passes SB 485 and that its provisions are utilized by moms and dads; Republicans and Democrats; who run for and serve at all levels of office, allowing our state to continue to benefit from rich and diverse perspectives among elected officials.

Best,

A handwritten signature in blue ink, appearing to read "Ethan Corson".

Senator Ethan Corson
District 7

SENATE BILL No. 485

By Committee on Federal and State Affairs

2-9

1 AN ACT concerning elections; relating to the campaign finance act;
2 expanding the scope of permitted uses of campaign contribution
3 moneys to include family caregiving services; amending K.S.A. 25-
4 4157a and repealing the existing section.

5

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

7 Section 1. K.S.A. 25-4157a is hereby amended to read as follows: 25-
8 4157a. (a) (1) No moneys received by any candidate or candidate
9 committee of any candidate as a contribution under this act shall be used
10 or be made available for the personal use of the candidate and no such
11 moneys shall be used by such candidate or the candidate committee of
12 such candidate except for:

13 ~~(1)~~(A) Legitimate campaign purposes;

14 ~~(2)~~(B) expenses of holding political office;

15 ~~(3)~~(C) contributions to the party committees of the political party of
16 which such candidate is a member;

17 ~~(4)~~(D) any membership dues related to the candidate's campaign paid
18 to a community service or civic organization in the name of the candidate;

19 ~~(5)~~(E) any donations paid to any organization which is recognized as
20 a 501(c)(3) tax exempt organization or any religious organization,
21 community service or civic organization in the name of the candidate or
22 candidate committee of any candidate but only if the candidate receives no
23 goods or services unrelated to the candidate's campaign as a result of the
24 payment of such donations;

25 ~~(6)~~(F) expenses incurred in the purchase of tickets to meals and
26 special events sponsored by any organization the major purpose of which
27 is to promote or facilitate the social, business, commercial or economic
28 well being of the local community; ~~or~~

29 ~~(7)~~(G) expenses incurred in the purchase and mailing of greeting
30 cards to voters and constituents; *or*

31 (H) *expenses incurred for family caregiving services.*

32 (2) For the purpose of this subsection, expenditures for "personal use"
33 ~~shall include~~ *includes* expenditures to defray normal living expenses for
34 the candidate or the candidate's family and expenditures for the personal
35 benefit of the candidate having no direct connection with or effect upon
36 the campaign of the candidate or the holding of public office. *The term*

when such expenses are incurred as a result of the candidate's
candidacy for office or holding office and are directly related to or
have an effect on the candidate's campaign activities or duties as an
office holder

- 1 *"personal use" does not include family caregiving services.*
2 *(3) As used in this subsection:*
3 *(A) "Family caregiving services" means the provision of care for an*
4 *individual who is an immediate family member of the candidate and who*
5 *is:*
6 *(i) Under 18 years of age;*
7 *(ii) disabled; or*
8 *(iii) qualifies for senior care services; and*
9 *(B) "immediate family member" means a spouse, parent, stepparent,*
10 *grandparent, child, stepchild, sibling, grandchild, former spouse or any*
11 *individual living in the same residence with a candidate.*
12 *(b) No moneys received by any candidate or candidate committee of*
13 *any candidate as a contribution shall be used to pay interest or any other*
14 *finance charges upon moneys loaned to the campaign by such candidate or*
15 *the spouse of such candidate.*
16 *(c) No candidate or candidate committee shall accept from any other*
17 *candidate or candidate committee for any candidate for local, state or*
18 *national office, any moneys received by such candidate or candidate*
19 *committee as a campaign contribution. The provisions of this subsection*
20 *shall not be construed to prohibit a candidate or candidate committee from*
21 *accepting moneys from another candidate or candidate committee if such*
22 *moneys constitute a reimbursement for one candidate's proportional share*
23 *of the cost of any campaign activity participated in by both candidates*
24 *involved. Such reimbursement shall not exceed an amount equal to the*
25 *proportional share of the cost directly benefiting and attributable to the*
26 *personal campaign of the candidate making such reimbursement.*
27 *(d) At the time of the termination of any campaign and prior to the*
28 *filing of a termination report in accordance with K.S.A. 25-4157, and*
29 *amendments thereto, all residual funds otherwise not obligated for the*
30 *payment of expenses incurred in such campaign or the holding of office*
31 *shall be contributed to a charitable organization, as defined by the laws of*
32 *the state, contributed to a party committee or returned as a refund in whole*
33 *or in part to any contributor or contributors from whom received or paid*
34 *into the general fund of the state.*
35 *Sec. 2. K.S.A. 25-4157a is hereby repealed.*
36 *Sec. 3. This act shall take effect and be in force from and after its*
37 *publication in the statute book.*