

6.821 Statements of expenditures -- Penalties.

- (1) With the updated registration statement required by KRS 6.807(3), each legislative agent, or representative of an organized association, coalition, or public interest entity, and each employer shall file a statement of expenditures as provided in subsections (2), (3), and (4) of this section. A representative of an organized association, coalition, or public interest entity shall identify the source of the entity or association's funds and financial resources. A legislative agent shall file a separate statement of expenditures for each employer engaging him.
- (2) If an employer or any legislative agent whom he or she engaged made expenditures, either separately or in combination with each other, either directly or indirectly, for food, beverages, or the costs of admittance or attendance, lodging, or other expenses related to events conducted or approved under KRS 6.611(2)(b)8., 11., or 12. on behalf of any particular member of the General Assembly or candidate, or his or her immediate family, the employer or legislative agent shall also state the following:
 - (a) The name of the legislator, candidate, or member of his or her immediate family on whose behalf the expenditures were made;
 - (b) The total amount of the expenditures made;
 - (c) A description of the expenditures made; and
 - (d) The date and specific location of the event for which the expenditures were made.
- (3) In addition to the information required by subsection (2) of this section, a statement filed by a legislative agent shall show:
 - (a) The total amount of lobbying expenditures made by the legislative agent during the reporting period covered by the statement, including any expenditures for events conducted or approved under KRS 6.611(2)(b)8., 11., or 12., if the expenditures are not reimbursed by the employer; and
 - (b) Expenditures made by the legislative agent for informational, educational, or promotional items or activities, and other expenses directly associated with the legislative agent's lobbying activities during the reporting period, if the expenditures were not reimbursed by the employer.
- (4) (a) In addition to the information required by subsection (2) of this section, a statement filed by an employer shall list:
 1. The total amount of lobbying-related expenditures made by the employer filing the statement during the period covered by the statement;
 2. A complete and itemized account of all amounts expended for receptions or other events conducted or approved under KRS 6.611(2)(b)8., 11., or 12., including the date and specific location of the event and the name of the group of public servants invited to the event;
 3. A complete and itemized account of all other amounts expended for lobbying, including reimbursements paid to any legislative agent;
 4. The compensation earned by each legislative agent, prorated to reflect

the time the legislative agent was engaged in lobbying during the period covered by the statement; and

5. a. The cost of advertising which appears during a session of the General Assembly, and which supports or opposes legislation, if the cost is paid by an employer or a person or organization affiliated with an employer.
 - b. As used in this subparagraph, "advertising" means statements disseminated to the public either in print, by radio or television broadcast, or by any other electronic means, including Internet or telephonic communications, and may include direct or bulk mailings of printed materials.
- (b) No employer is required to show any expenditure on a statement filed under this subsection if the expenditure is reported on a statement filed under subsection (2) of this section by a legislative agent engaged by the employer.
- (5) (a) Any statement required to be filed under this section shall be filed at the times specified in KRS 6.807. Each statement shall cover expenditures made during the period that ended on the last day of the month immediately preceding the month in which the statement is required to be filed.
 - (b) If it is impractical or impossible for a legislative agent or employer to determine exact dollar amounts or values of expenditures, reporting of good faith estimates, based upon reasonable accounting procedures, constitutes compliance with this subsection.
- (6) All legislative agents and employers shall retain receipts or maintain records for all expenditures that are required to be reported pursuant to this section. These receipts or records shall be maintained for a period ending on the thirty-first day of December of the second calendar year after the year in which the expenditure was made.
 - (7) Any legislative agent or employer who fails to file a required statement of expenditures, or who fails to remedy any deficiency in his or her filing in a timely manner may be fined by the commission an amount not to exceed one hundred dollars (\$100) per day, up to a maximum total fine of one thousand dollars (\$1,000) without the necessity of a complaint being filed, notwithstanding KRS 6.686(1)(a), but only after notice has been given to the alleged violator of the intent of the commission to impose a fine, including the amount of the fine, and an opportunity has been afforded the alleged violator to appear before the commission or otherwise offer evidence as he or she may choose in mitigation of the imposition of the fine.
 - (8) Any legislative agent or employer who intentionally files a statement of expenditures which he or she knows to contain false information or to omit required information shall be guilty of a Class D felony.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 75, sec. 7, effective July 15, 2014. -- Amended 2000 Ky. Acts ch. 493, sec. 8, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 211, sec. 7, effective July 15, 1996. -- Created 1993 (1st Extra. Sess.) Ky. Acts ch. 4, sec. 29, effective September 16, 1993.