

## CHAPTER 53

## (HB 2)

AN ACT relating to campaign expenditures.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 119.205 is amended to read as follows:

- (1) Any person who makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate or public question at an election shall be guilty of a Class D felony.
- (2) Any person who solicits, accepts, or receives any such expenditure as payment or consideration for his vote, or the withholding of his vote, or to vote for or against any candidate or public question at an election shall be guilty of a Class D felony.
- (3) ***Any person who makes or offers to make an expenditure to any person to sign a petition to have a public question placed on the ballot, or any person who solicits, accepts, or receives any such expenditure as payment or consideration to sign a petition to have a public question placed on the ballot, shall be guilty of a Class B misdemeanor.***
- (4) For purposes of this section, "expenditure" means any of the following when intended as payment or consideration for ***voting or withholding*** a vote~~[, or the withholding of a vote]~~, ***voting*** for or against any candidate or public question, ***or signing a petition to have a public question placed on the ballot:***
  - (a) A payment, distribution, loan, advance, deposit, or gift of money or anything of value; or
  - (b) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a payment, distribution, loan, advance, deposit, or gift of money or anything of value.

"Expenditure," as used in this section, shall not include the distribution of materials bearing the name, likeness, or other identification of a candidate, political party, committee, or organization, or position on a public question and not intended as payment or consideration for ***voting or withholding*** a vote~~[, or the withholding of a vote]~~, ***voting*** for or against any candidate or public question, ***or signing a petition to have a public question placed on the ballot.***

- ~~(5)~~~~(4)~~ Any candidate or committee, or any person on his behalf, who pays any person, including campaign workers, for transporting voters to the polls on the day of the election, shall make all payments by check. All payments, regardless of amount, shall be reported to the Registry of Election Finance in the manner that the Registry shall provide by administrative regulation. Any person who knowingly violates any requirement of this subsection shall be guilty of a Class B misdemeanor.

- ~~(6)~~~~(5)~~ In addition to the above provisions, a person may be convicted of a violation of this section pursuant to KRS 502.020.

**Approved March 3, 2000**

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