

REGISTRY OF ELECTION FINANCE
(Amended at ARRS Committee)

32 KAR 2:200. Allowable campaign expenditures.

RELATES TO: KRS ~~119.205(5), 121.015,~~ 121.150, 121.175

STATUTORY AUTHORITY: KRS 121.120(1)(g), 121.175(4)

CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 121.175(4) ~~as amended by the General Assembly in extraordinary session in 1993,~~ requires the Registry of Election Finance to promulgate administrative regulations to implement and enforce provisions for specifically define those expenditures that may lawfully be made from a candidate's, committee's, or contributing organization's campaign account. This administrative regulation establishes allowable expenditures from a candidate's, committee's, or contributing organization's campaign account ~~It is therefore necessary to promulgate this administrative regulation so that the agency may fulfill its statutory mandate.~~

Section 1. Allowable Expenditures. In addition to the general categories of allowable campaign expenditures established in KRS Chapter 121 ~~provided by law~~, the following expenditures shall be ~~considered~~ allowable:

- (1) Expenditures made or items donated to charitable and civic organizations such as clubs, neighborhood organizations, schools, and churches, ~~if provided that~~ the expenditure furthers ~~the~~ candidacy through advertising;
- (2) Expenditures for items of personal property bearing the name or likeness of the candidate in a conspicuous manner for distribution by or on behalf of the candidate and that shall be ~~which are~~ distributed for the purpose of furthering the ~~advertising that individual's~~ candidacy. These items include, for example, ~~but are not limited to,~~ hats, shirts, calendars, magnets, holiday greeting cards, and similar items. ~~The purchase of tickets for general distribution for the purpose of influencing an election, either directly or indirectly, shall not be allowed under the subsection;~~
- (3) Reasonable expenditures for services such as distribution of campaign literature, staff services, and similar services ~~that which~~ are primarily and directly related to the ~~individual's~~ candidacy;
- (4) In accordance with KRS 119.205(5), expenditures for the purchase of transportation services, including ~~but not limited to~~ the transportation of voters to the polls, ~~if provided that~~ the expenditures are reasonable in light of the number of persons transported, mileage driven, and time spent. All transportation expenditures shall be primarily and directly related to the candidacy of the individual on whose behalf the expenditures are made;
- (5) Expenditures for tickets to political and other events to be attended by the candidate, the candidate's ~~the candidate, his~~ spouse, or a campaign staff representative, and from which the candidate derives a direct benefit to ~~the~~ his candidacy. The burden shall be on the candidate to prove to the registry that representation at the event provided a direct benefit to ~~the~~ his candidacy;
- (6) The purchase of American, state, or other flags ~~that which~~ are donated to schools, civic, or charitable organizations;
- (7) The purchase or rental of items such as cellular telephones, copiers, computers, automobiles, facsimile machines, and similar items. Only that use attributable to the campaign may be paid for with campaign funds, and the burden shall be on the candidate to prove that an expenditure is allowable under this subsection; ~~;~~

- (8) The purchase of food and drink to be served at an event directly related to the candidacy. ~~of the individual on whose behalf the expenditures are made~~ ;
- (9) Expenditures made or items donated for a door prize that anyone who is attending the event has the opportunity to win if the ~~an~~ event is directly related to the candidacy. ~~of the individual has the opportunity to win~~ ; and
- (10) Expenditures made or items donated for a silent auction-type fundraising event ~~if the where~~ items are bid on independently for the purpose of raising funds to directly benefit the candidacy. ~~campaign account~~ .

Section 2. Unlawful Campaign Expenditures. In addition to the expenditures expressly prohibited by KRS Chapter 121 and Section 1 of this administrative regulation~~specifically prohibited by law~~, the following categories of campaign expenditures shall not be ~~considered~~ allowable expenditures from a campaign account:

- (1) Payment of dues to professional, civic, or other organizations to which the individual belongs or desires to join, unless membership in the organization provides the candidate with a direct benefit to the ~~this~~ candidacy. The burden shall be on the candidate to prove to the registry that membership in the organization provided a direct benefit to the ~~this~~ candidacy;
- (2) Expenditures made to defray the costs associated with an individual's performance of ~~this~~ official duties as an officeholder, except for those ~~otherwise~~ expressly allowed ~~permitted~~ in KRS 121.175;
- (3) Expenditures for food and drink to be served at events unrelated to the ~~individual's~~ candidacy;
- (4) The purchase of tickets for general distribution for the purpose of influencing an election, either directly or indirectly;
- (5) Except as established in KRS 121.150(1), expenditures for items of personal property for distribution by or on behalf of the ~~a~~ candidate that do not advertise nor promote the ~~that individual's~~ candidacy; and
- (6) ~~(5)~~ Expenditures made or items donated to hold a raffle or other game of chance that ~~which~~ require a person to pay for the chance to win a prize.

Section 3. If the registry staff, in the course of reviewing a candidate's, committee's, or contributing organization's~~or incumbent's~~ campaign finance statements, determines that a questionable expenditure has been made, whether or not the expenditure was made during an election year, the burden shall be on the candidate, committee, or contributing organization~~or incumbent~~ to prove that the expenditure was directly and primarily related to the ~~aff~~ ~~his~~ candidacy.

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CONTACT PERSON: Leslie Saunders, General Counsel, Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601, phone (502) 573-2226, fax (502) 573-5622, email LeslieM.Saunders@ky.gov.