

32 KAR 2:070. Fundraiser registration.

RELATES TO: KRS 121.015(11), 121.170(2)

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

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 121.120(1)(g) grants the Registry the power to promulgate administrative regulations necessary to carry out the provisions of KRS Chapter 121. KRS 121.120(4) requires the Registry to promulgate administrative regulations and prescribe forms for the making of reports under KRS Chapter 121. KRS 121.170(2) require persons who directly solicit and secure contributions for a candidate or slate of candidates in excess of \$3,000 in an election to register as a fundraiser with the Registry of Election Finance. this administrative regulation established the procedure through which persons qualifying as fundraisers shall register with and report to the Registry of Election Finance.

Section 1. Definitions. "Fundraiser" is defined by KRS 121.015(11).

Section 2. Fundraiser Registration Procedure; Exemptions.

(1) Any person who qualifies as a fundraiser as defined in KRS 121.015(11) shall register with the registry immediately upon securing contributions for a candidate or slate of candidates in excess of \$3,000 in an election. A fundraiser shall register by filing the "Fundraiser Registration" form with the Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601. A registered fundraiser shall comply with applicable reporting requirement as provided in KRS 121.170(2), by filing the "Registered Fundraiser Statement" with the Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601.

(2) As part of the packet of forms and instructions regularly provided to candidates by the registry, each candidate or slate of candidates shall receive all necessary forms and instructions for complying with applicable reporting requirements. It shall be the duty of the candidate, slate of candidates, or the appropriate campaign treasurer to provide the forms and reporting instructions to each person who qualifies as a fundraiser for the candidate or slate of candidates.

(3) For purposes of this administrative regulation, the following activities shall not qualify a person as a fundraiser:

- (a) Serving as treasurer of a campaign committee;
- (b) Performing clerical duties such as receiving contributions or preparing and filing campaign finance reports;
- (c) Communicating an endorsement of a candidate or slate of candidates which indirectly results in the receipt of contributions, provided that the communication is not followed by one-on-one direct oral or written solicitation of contributions by the person making the endorsement; or
- (d) Acting as host of a social event at one's residence or place of business, provided that the host does not directly solicit and secure contributions in excess of \$3,000.

Section 3. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "Fundraiser Registration", KREF 019, revised 05/2005; and
- (b) "Registered Fundraiser Statement", KREF 006/F, revised 05/2005.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the office of the Kentucky Registry of Election Finance, 140 Walnut Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(19 Ky.R. 1238; 1529; eff. 1-4-1993; 32 Ky.R. 709; 1083; eff. 1-6-2006; Crt eff. 9-27-2019; Crt eff. 1-20-2026.)