

1 AN ACT relating to election finance.

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

3 ➔Section 1. KRS 121.150 is amended to read as follows:

- 4 (1) No contribution shall be made or received, directly or indirectly, other than an  
5 independent expenditure, to support inauguration activities or to support or defeat a  
6 candidate, slate of candidates, constitutional amendment, or public question which  
7 will appear on the ballot in an election, except through the duly appointed campaign  
8 manager, or campaign treasurer of the candidate, slate of candidates, or registered  
9 committee. Any person making an independent expenditure, shall report these  
10 expenditures when the expenditures by that person exceed five hundred dollars  
11 (\$500) in the aggregate in any one (1) election, on a form provided or using a format  
12 approved by the registry and shall sign a statement on the form, under penalty of  
13 perjury, that the expenditure was an actual independent expenditure and that there  
14 was no prior communication with the campaign on whose behalf it was made.
- 15 (2) Except as provided in KRS 121.180(10), the solicitation from and contributions by  
16 campaign committees, caucus campaign committees, political issues committees,  
17 permanent committees, and party executive committees to any religious, charitable,  
18 civic, eleemosynary, or other causes or organizations established primarily for the  
19 public good is expressly prohibited; except that it shall not be construed as a  
20 violation of this section for a candidate or a slate of candidates to contribute to  
21 religious, civic, or charitable groups.
- 22 (3) No candidate, slate of candidates, committee, or contributing organization, nor  
23 anyone acting on their behalf, shall accept any anonymous contribution in excess of  
24 fifty dollars (\$50), and all anonymous contributions in excess of fifty dollars (\$50)  
25 shall be returned to the donor, if the donor can be determined. If no donor is found,  
26 the contribution shall escheat to the state. No candidate, slate of candidates,  
27 committee, or contributing organization, nor anyone acting on their behalf shall

1 accept anonymous contributions in excess of one thousand dollars (\$1,000) in the  
2 aggregate in any one (1) election. Anonymous contributions in excess of one  
3 thousand dollars (\$1,000) in the aggregate which are received in any one (1)  
4 election shall escheat to the state.

5 (4) No candidate, slate of candidates, committee, or contributing organization, nor  
6 anyone on their behalf, shall accept a cash contribution in excess of fifty dollars  
7 (\$50) in the aggregate from each contributor in any one (1) election. No candidate,  
8 slate of candidates, committee, or contributing organization, nor anyone on their  
9 behalf, shall accept a cashier's check or money order in excess of the maximum cash  
10 contribution limit unless the instrument clearly identifies both the payor and the  
11 payee. A contribution made by cashier's check or money order which identifies both  
12 the payor and payee shall be treated as a contribution made by check for purposes of  
13 the contribution limits contained in this section. No person shall make a cash  
14 contribution in excess of fifty dollars (\$50) in the aggregate in any one (1) election  
15 to a candidate, slate of candidates, committee, or contributing organization, nor  
16 anyone on their behalf.

17 (5) No candidate, slate of candidates, committee, contributing organization, nor anyone  
18 on their behalf, shall accept any contribution in excess of one hundred dollars  
19 (\$100) from any person who shall not become eighteen (18) years of age on or  
20 before the day of the next regular~~general~~ election.

21 (6) No candidate, slate of candidates, campaign committee, political issues committee,  
22 nor anyone acting on their behalf, shall accept a contribution of more than one  
23 thousand dollars (\$1,000) from any person, permanent committee, or contributing  
24 organization in any one (1) election. No person, permanent committee, or  
25 contributing organization shall contribute more than one thousand dollars (\$1,000)  
26 to any one (1) candidate, campaign committee, political issues committee, nor  
27 anyone acting on their behalf, in any one (1) election.

- 1 (7) Permanent committees or contributing organizations affiliated by bylaw structure or  
2 by registration, as determined by the Registry of Election Finance, shall be  
3 considered as one (1) committee for purposes of applying the contribution limits of  
4 subsection (6) of this section.
- 5 (8) No permanent committee shall contribute funds to another permanent committee for  
6 the purpose of circumventing contribution limits of subsection (6) of this section.
- 7 (9) No person shall contribute funds to a permanent committee, political issues  
8 committee, or contributing organization for the purpose of circumventing the  
9 contribution limits of subsection (6) of this section.
- 10 (10) No person shall contribute more than one thousand five hundred dollars (\$1,500) to  
11 any one (1) permanent committee or any one (1) contributing organization~~all~~  
12 ~~permanent committees and contributing organizations~~ in any one (1) year.
- 13 (11) No person shall contribute more than two thousand five hundred dollars (\$2,500) to  
14 the state executive committee of a political party or~~and~~ its subdivisions and  
15 affiliates in any one (1) year. No person shall contribute more than two thousand  
16 five hundred dollars (\$2,500) to a caucus campaign committee in any one (1) year.  
17 Contributions a person makes to any executive committee other than the state  
18 executive committee in excess of one thousand dollars (\$1,000) in any one (1) year  
19 shall be deposited in a separate account which the state executive committee  
20 maintains for the exclusive purpose of paying administrative costs incurred by the  
21 political party.
- 22 (12) No person shall make a payment, distribution, loan, advance, deposit, or gift of  
23 money to another person to contribute to a candidate, a slate of candidates,  
24 committee, contributing organization, or anyone on their behalf. No candidate, slate  
25 of candidates, committee, contributing organization, nor anyone on their behalf  
26 shall accept a contribution made by one (1) person who has received a payment,  
27 distribution, loan, advance, deposit, or gift of money from another person to

1 contribute to a candidate, a slate of candidates, committee, contributing  
2 organization, or anyone on their behalf.

3 (13) ~~[No candidates running as a slate for the offices of Governor and Lieutenant  
4 Governor shall make combined total personal loans to their committee in excess of  
5 fifty thousand dollars (\$50,000) in any one (1) election. No candidate for any other  
6 statewide elected state office shall lend to his committee any amount in excess of  
7 twenty five thousand dollars (\$25,000) in any one (1) election. In campaigning for  
8 all other offices, no candidate shall lend to his committee more than ten thousand  
9 dollars (\$10,000) in any one (1) election.]~~

10 ~~(14) ]Subject to the provisions of subsection (16)~~[(18)]~~ of this section, no candidate or  
11 slate of candidates for nomination to any state, county, city, or district office, nor  
12 their campaign committees, nor anyone on their behalf, shall solicit or accept  
13 contributions for primary~~[election]~~ expenses after the date of the primary.~~[No  
14 person other than the candidate or slate of candidates shall contribute for primary  
15 election expenses after the date of the primary.]~~~~

16 ~~(14)~~[(15)]~~ Subject to the provisions of subsection (16)~~[(18)]~~ of this section, no candidate  
17 or slate of candidates for any state, county, city, or district office at a regular  
18 election, nor their campaign committees, nor anyone on their behalf, shall solicit or  
19 accept contributions for regular election expenses after the date of the regular  
20 election.~~[No person other than the candidate or slate of candidates shall contribute  
21 for regular election expenses after the date of the regular election.]~~~~

22 ~~(15)~~[(16)]~~ Subject to the provisions of subsection (16)~~[(18)]~~ of this section, no candidate  
23 or slate of candidates for nomination or election to any state, county, city, or district  
24 office, nor their campaign committees, nor anyone on their behalf, shall solicit or  
25 accept contributions for special election expenses after the date of the special  
26 election.~~[No person other than the candidate or slate of candidates shall contribute  
27 for special election expenses after the date of the special election.]~~~~

1 ~~(16)~~[(17) The provisions of subsections (14) and (15) of this section shall apply only to  
2 those candidates in a primary or regular election which shall be conducted  
3 subsequent to January 1, 1989. The provisions of subsection (16) of this section  
4 shall apply only to those candidates or slates of candidates in a special election  
5 which shall be conducted subsequent to January 1, 1993.

6 (18)} A candidate, slate of candidates, or a campaign committee may solicit and accept  
7 contributions after the date of a primary~~[election]~~, regular election, or special  
8 election to defray necessary expenses that arise after the date of the **primary or**  
9 election associated with~~[election]~~ contests, recounts, and recanvasses of a specific  
10 **primary or** election, complaints regarding alleged campaign finance violations that  
11 are filed with the registry pertaining to a specific election, or other legal actions  
12 pertaining to a specific **primary or** election to which a candidate, slate of  
13 candidates, or campaign committee is a party, **and repayment of debts and**  
14 **obligations owed by the campaign.** Reports of contributions received and  
15 expenditures made after the date of the specific **primary or** election shall be made  
16 in accordance with KRS 121.180.

17 ~~(17)~~[(19) No slate of candidates for Governor and Lieutenant Governor or their  
18 immediate families shall loan any money, service, or other thing of value to their  
19 campaign, and all moneys, services, or other things of value which are loaned shall  
20 be deemed a contribution, which may not be recovered by the slate of candidates,  
21 except to the extent of a combined total of fifty thousand dollars (\$50,000).

22 (20)} No candidate, slate of candidates, committee, except a political issues committee, or  
23 contributing organization, nor anyone on their behalf, shall knowingly accept a  
24 contribution from a corporation, directly or indirectly.

25 ~~(18)~~[(21)] Nothing in this section shall be construed to restrict the ability of a  
26 corporation to administer its permanent committee insofar as its actions can be  
27 deemed not to influence an election as prohibited by KRS 121.025.

1 ~~(19)~~~~(22)~~ No candidate, slate of candidates, or committee, nor anyone on their behalf,  
2 shall solicit a contribution of money or services from a state employee, whether or  
3 not the employee is covered by the classified service provisions of KRS Chapter  
4 18A. However, it shall not be a violation of this subsection for a state employee to  
5 receive a solicitation directed to him as a registered voter in an identified precinct as  
6 part of an overall plan to contact voters not identified as state employees.

7 ~~(20)~~~~(23)~~ ~~(a)~~ A candidate or a slate of candidates for elective public office shall not  
8 accept contributions from permanent committees which, in the aggregate,  
9 exceed fifty percent (50%) of the total contributions accepted by the candidate  
10 or a slate of candidates in any one (1) election or ten thousand dollars  
11 (\$10,000) in any one (1) election, whichever is the greater amount. The  
12 percentage of the total contributions or dollar amounts of contributions  
13 accepted by a candidate or a slate of candidates in an election that is accepted  
14 from permanent committees shall be calculated as of the day of each election.  
15 Funds in a candidate's or a slate of candidates' campaign account which are  
16 carried forward from one (1) election to another shall not be considered in  
17 calculating the acceptable percentage or dollar amount of contributions which  
18 may be accepted from permanent committees for the election for which the  
19 funds are carried forward. A candidate or a slate of candidates may, without  
20 penalty, contribute funds to his campaign account not later than sixty (60)  
21 days following the election so as not to exceed the permitted percentage or  
22 dollar amount of contributions which may be accepted from permanent  
23 committees or the candidate or a slate of candidates may, not later than sixty  
24 (60) days after the end of the election, refund any excess permanent  
25 committee contributions on a pro rata basis to the permanent committees  
26 whose contributions are accepted after the aggregate limit has been reached.

27 ~~(b)~~ The provisions of paragraph (a) of this subsection regarding the receipt of

1           ~~aggregate contributions from permanent committees in any one (1) election~~  
2           ~~shall also apply separately to the receipt of aggregate contributions from~~  
3           ~~executive committees of any county, district, state, or federal political party in~~  
4           ~~any one (1) election.~~

5           ~~(c) The provisions of paragraph (a) of this subsection regarding the receipt of~~  
6           ~~aggregate contributions from permanent committees in any one (1) election~~  
7           ~~shall also apply separately to the receipt of aggregate contributions from~~  
8           ~~caucus campaign committees.~~

9   ~~(24)~~ No candidate or slate of candidates for any office in this state shall accept a  
10       contribution, including an in-kind contribution, which is made from funds in a  
11       federal campaign account. No person shall make a contribution, including an in-  
12       kind contribution, from funds in a federal campaign account to any candidate or  
13       slate of candidates for any office in this state.

14       ➔Section 2. KRS 121.170 is amended to read as follows:

15   (1) Any committee, except a federally registered out-of-state permanent committee,  
16       organized under any provisions of this chapter shall register with the registry, by  
17       filing official notice of intention at the time of organization, giving names,  
18       addresses, and positions of the officers of the organization, identifying an official  
19       contact person of the committee, and designating the candidate or candidates, slate  
20       of candidates, or question it is organized to support or oppose on forms prescribed  
21       by the registry; except that no campaign committee for a slate of candidates for  
22       Governor and Lieutenant Governor shall be registered prior to the filing of a joint  
23       notification and declaration by the slate of candidates pursuant to KRS 118.125 and  
24       118.127. No entity which is excluded from the definition of "campaign committee"  
25       established in KRS 121.015(3)(a) shall be required to register as a committee with  
26       the registry. The name of the committee shall reasonably identify to the public the  
27       sponsorship and purpose of the committee. The forms filed with the registry shall

1 require the registrant to clearly identify the specific purpose, sponsorship, and  
2 source from which the committee originates; and the registry shall refuse to allow  
3 filing by any committee until this requirement has been satisfied.

4 (2) Any person who acts as a fundraiser by directly soliciting contributions for an  
5 election campaign of a candidate or slate of candidates for statewide-elected state  
6 office or an office in a jurisdiction containing in excess of two hundred thousand  
7 (200,000) residents shall register with the registry when he or she raises in excess of  
8 three thousand dollars (\$3,000) in any one (1) election for the campaign committee  
9 by filing official notice giving his or her name, address, occupation, employer or, if  
10 he or she is self-employed, the name under which he or she is doing business, and  
11 all candidates or slates of candidates for whom he or she is soliciting on forms  
12 prescribed by the registry. A registered fundraiser shall comply with the campaign  
13 finance reporting requirements of KRS 121.180~~[(3), (4), and (5)]~~.

14 (3) All provisions of KRS 121.160 governing the duties and responsibilities of a  
15 candidate, slate of candidates, or campaign treasurer shall apply to a registered  
16 committee, except a federally registered out-of-state permanent committee, and a  
17 person acting as a campaign fundraiser. In case of the death, resignation, or removal  
18 of a campaign treasurer for a permanent committee or executive committee, the  
19 chairperson of the permanent committee or executive committee shall, within three  
20 (3) days after receiving notice of the vacancy by certified mail, appoint a successor  
21 as treasurer for the committee and file the name and address of the successor with  
22 the registry. The chairperson of the permanent committee or executive committee  
23 shall be accountable as the treasurer for the committee if the chairperson fails to  
24 meet this filing requirement.

25 (4) The chairperson of a committee and the campaign treasurer shall be separate  
26 persons.

27 (5) Any federally registered out-of-state permanent committee that contributes to a



1 Kentucky candidate or a slate of candidates shall:

2 (a) File with the registry a copy of its federal registration (Federal Election  
3 Commission Form 1 - Committee Registration Form);

4 (b) File with the registry a copy of the Federal Election Commission finance  
5 report when a contribution is made to a Kentucky candidate or a slate of  
6 candidates; and

7 (c) Contribute ~~no~~~~not~~ more than the maximum amount permitted for a  
8 permanent committee to make under Kentucky law to any candidate or to any  
9 slate of candidates for any office in this Commonwealth.

10 (6) Notwithstanding any provision of law to the contrary, a contribution made by a  
11 federally registered permanent committee to any candidate or to any slate of  
12 candidates for any office in this Commonwealth that complies with the provisions  
13 of 2 U.S.C. sec. 441b, 11 C.F.R. sec. 104.10, 11 C.F.R. sec. 106.6, and 11 C.F.R.  
14 sec. 114.1-114.12 regarding limitations on contributions by corporations shall be  
15 deemed to comply with the campaign finance laws of this Commonwealth  
16 prohibiting corporate contributions to candidates or slates of candidates.

17 (7) The organization, formation, or registration of a permanent committee by any  
18 member of the General Assembly shall be prohibited.

19 (8) The official contact person of a permanent committee shall not be a legislative agent  
20 as defined in KRS 6.611 or an executive agency lobbyist as defined in KRS  
21 11A.201.

22 ➔Section 3. KRS 121.180 is amended to read as follows:

23 (1) (a)~~Any candidate, slate of candidates, or political issues committee shall be~~  
24 ~~exempt from filing any preelection finance reports required by subsection (3)~~  
25 ~~of this section if the candidate, slate of candidates, or political issues~~  
26 ~~committee chairman files a form prescribed and furnished by the registry~~  
27 ~~stating that contributions will not be accepted or expended in excess of three~~

1           ~~thousand dollars (\$3,000) in any one (1) election to further the candidacy or to~~  
2           ~~support or oppose a constitutional amendment or public question which will~~  
3           ~~appear on the ballot. For a candidate for judicial office who desires to be~~  
4           ~~exempt from filing preelection campaign finance reports as provided in this~~  
5           ~~paragraph, the request for exemption shall be filed by the campaign treasurer~~  
6           ~~of the candidate's campaign committee, but the candidate shall be personally~~  
7           ~~liable for any violation if the campaign treasurer accepts contributions or~~  
8           ~~makes expenditures in excess of the limit and shall be subject to the same~~  
9           ~~penalties as a candidate as provided in paragraph (1)1. or 2. of this subsection.~~  
10          ~~A separate form shall be required for each primary, regular, or special election~~  
11          ~~in which the candidate or slate of candidates participates or in which the~~  
12          ~~public question appears on the ballot, unless the candidate, slate of candidates,~~  
13          ~~or political issues committee chairman indicates on a request for exemption~~  
14          ~~that the request will be applicable to more than one (1) election. The form~~  
15          ~~shall be filed with the same office with which a candidate or slate of~~  
16          ~~candidates files nomination papers or, in the case of a political issues~~  
17          ~~committee, with the registry.~~

18          (b)} Any candidate, slate of candidates, or political issues committee shall be  
19          exempt from filing any campaign finance reports required by subsections (3)  
20          and (4) of this section if the candidate, slate of candidates, or political issues  
21          committee chair~~chairman~~ files a form prescribed and furnished by the  
22          registry stating that currently no contributions have been received and that  
23          contributions will not be accepted or expended in excess of three~~one~~  
24          thousand dollars (\$3,000)~~(\$1,000)~~ in any one (1) election. For a candidate  
25          for judicial office who desires to be exempt from filing any campaign finance  
26          reports as provided in this paragraph, the request for exemption shall be filed  
27          by the campaign treasurer of the candidate's campaign committee, but the

1 candidate shall be personally liable for any violation if the campaign treasurer  
2 accepts contributions or makes expenditures in excess of the limit and shall be  
3 subject to the same penalties as a candidate as provided in subparagraph  
4 ~~(k)~~~~(1)~~ 1. or 2. of this subsection. A separate form shall be required for each  
5 primary, regular, or special election in which the candidate or slate of  
6 candidates participates or in which the public question appears on the ballot,  
7 unless the candidate, slate of candidates, or political issues committee  
8 chair~~chairman~~ indicates on a request for exemption that the request will be  
9 applicable to more than one (1) election. The form shall be filed with the same  
10 office with which a candidate or slate of candidates files nomination papers  
11 or, in the case of a political issues committee, with the registry.

12 ~~(b)~~~~(e)~~ For a primary~~election~~, a candidate or slate of candidates shall file a  
13 request for exemption no~~not~~ later than the deadline for filing nomination  
14 papers and, except as provided in subparagraph 2. of paragraph ~~(c)~~~~(d)~~ of this  
15 subsection, shall be bound by its terms unless it is rescinded in writing no~~not~~  
16 later than fifteen (15) days after the filing deadline. For a regular election, a  
17 candidate or slate of candidates shall file or rescind in writing a request for  
18 exemption no~~not~~ later than twenty-five (25) days after the date of the  
19 preceding primary~~election~~, except as provided in subparagraph 2. of  
20 paragraph ~~(c)~~~~(d)~~ of this subsection. For a special election, a candidate or  
21 slate of candidates shall file a request for exemption no~~not~~ later than ten (10)  
22 days after the candidate or slate of candidates is nominated for a special  
23 election and shall be bound by its terms unless it is rescinded in writing  
24 no~~not~~ later than twenty-five (25) days after the date on which the  
25 nomination for a special election is made. A political issues committee  
26 chair~~chairman~~ shall file a request for exemption no~~not~~ later than ten (10)  
27 days after the date on which the committee registers with the registry and shall

1 be bound by its terms unless it is rescinded in writing ~~no~~[not] later than fifteen  
2 (15) days after the date on which the request for exemption is filed.

3 ~~(c)~~[~~(d)~~] 1. A candidate or slate of candidates that revokes a request for  
4 exemption in a timely manner shall~~[ may exercise the remaining option~~  
5 ~~or may]~~ file all reports required of a candidate intending to raise or  
6 spend in excess of three thousand dollars (\$3,000) in an election. To  
7 revoke the request for an exemption~~[If a candidate or slate of~~  
8 ~~candidates elects to exercise a different option]~~, the candidate or slate of  
9 candidates shall file the appropriate form with the registry~~[officer who~~  
10 ~~received the filing papers of the candidate or slate of candidates]~~ ~~no~~[not]  
11 later than the deadline for filing a revocation.

12 2. A candidate for any city, urban-county government, charter county  
13 government, consolidated local government, unified local government,  
14 or county office or for any school board office, who is exempted from~~[~~  
15 ~~some or all]~~ campaign finance reporting requirements pursuant to  
16 paragraph (a)~~[or (b)]~~ of this subsection but who accepts contributions or  
17 makes expenditures in excess of the exempted amount in an election,  
18 shall file all applicable reports required for the remainder of that  
19 election, based upon the amount of contributions or expenditures the  
20 candidate accepts or receives in that election. The filing of applicable  
21 required reports by a candidate after the exempted amount is exceeded  
22 shall serve as notice to the registry that the initial exemption has been  
23 rescinded. No further notice to the registry shall be required and no  
24 penalty for exceeding the initial exempted amount shall be imposed  
25 against the candidate, except for failure to file applicable reports  
26 required after the exempted amount is exceeded.

27 ~~(d)~~[~~(e)~~] Any candidate or slate of candidates that is subject to an August filing

1 deadline and that intends to execute a request for exemption shall file the  
2 appropriate request for exemption ~~no~~ later than the filing deadline and,  
3 except as provided in subparagraph 2. of paragraph ~~(c)~~ of this subsection,  
4 shall be bound by its terms unless it is rescinded in writing ~~no~~ later than  
5 fifteen (15) days after the filing deadline. A candidate or slate of candidates  
6 that is covered by this paragraph shall have the same reversion rights as those  
7 provided in subparagraph 1. of paragraph ~~(c)~~ of this subsection.

8 ~~(e)~~ Any candidate or slate of candidates that will appear on the ballot in a  
9 regular election that has signed ~~a~~ request for exemption for that  
10 election may exercise the reversion rights provided in subparagraph 1. of  
11 paragraph ~~(c)~~ of this subsection if a candidate or slate of candidates that is  
12 subject to an August filing deadline subsequently files in opposition to the  
13 candidate or slate of candidates. Except as provided in subparagraph 2. of  
14 paragraph ~~(c)~~ of this subsection, a candidate or slate of candidates  
15 covered by this paragraph shall comply with the deadline for rescission  
16 provided in subparagraph 1. of paragraph ~~(c)~~ of this subsection.

17 ~~(f)~~ Except as provided in subparagraph 2. of paragraph ~~(c)~~ of this  
18 subsection, any candidate or slate of candidates that has filed a request for  
19 exemption for a regular election that later is opposed by a person who has  
20 filed a declaration of intent to receive write-in votes may rescind the request  
21 for exemption and exercise the reversion rights provided in subparagraph 1. of  
22 paragraph ~~(c)~~ of this subsection.

23 ~~(g)~~ Any candidate or slate of candidates that has filed a request for  
24 exemption may petition the registry to determine whether another person is  
25 campaigning as a write-in candidate prior to having filed a declaration of  
26 intent to receive write-in votes, and, if the registry determines upon a  
27 preponderance of the evidence that a person who may later be a write-in

1 candidate is conducting a campaign, the candidate or slate of candidates,  
 2 except as provided in subparagraph 2. of paragraph ~~(c)~~~~(d)~~ of this subsection,  
 3 may petition the registry to permit the candidate or slate of candidates to  
 4 exercise the reversion rights provided in subparagraph 1. of paragraph ~~(c)~~~~(d)~~  
 5 of this subsection.

6 ~~(h)~~~~(i)~~ If the opponent of a candidate or slate of candidates is replaced due to  
 7 his or her withdrawal because of death, disability, or disqualification, the  
 8 candidate or slate of candidates, except as provided in subparagraph 2. of  
 9 paragraph ~~(c)~~~~(d)~~ of this subsection, may exercise the reversion rights  
 10 provided in subparagraph 1. of paragraph ~~(c)~~~~(d)~~ of this subsection ~~no~~~~not~~  
 11 later than fifteen (15) days after the party executive committee nominates a  
 12 replacement for the withdrawn candidate or slate of candidates.

13 ~~(i)~~~~(j)~~ A person intending to be a write-in candidate for any office in a regular  
 14 or special election may execute a request for exemption under paragraph (a)~~(b)~~  
 15 ~~or (b)~~ of this subsection and shall be bound by its terms unless it is rescinded  
 16 in writing ~~no~~~~not~~ later than fifteen (15) days after the filing deadline for the  
 17 regular or special election. A person intending to be a write-in candidate who  
 18 revokes a request for exemption in a timely manner ~~shall~~~~may exercise the~~  
 19 ~~remaining exemption option or may~~ file all reports required of a candidate  
 20 intending to raise or spend in excess of three thousand dollars (\$3,000) in an  
 21 election. Except as provided in subparagraph 2. of paragraph ~~(c)~~~~(d)~~ of this  
 22 subsection, a person intending to be a write-in candidate who revokes a  
 23 request for exemption~~elects to exercise a different exemption option~~ shall  
 24 file the appropriate form with the registry~~officer who received the initial~~  
 25 ~~request for exemption~~ ~~no~~~~not~~ later than fifteen (15) days after the filing  
 26 deadline for the regular or special election.

27 ~~(j)~~~~(k)~~ Except as provided in subparagraph 2. of paragraph ~~(c)~~~~(d)~~ of this

1 subsection, the campaign committee of any candidate or slate of candidates  
 2 that has filed a request for exemption or a political issues committee whose  
 3 chair~~chairman~~ has filed a request for exemption shall be bound by its terms  
 4 unless it is rescinded in a timely manner and no new request for exemption  
 5 has been executed.

6 ~~(k)~~~~(1)~~ 1. Except as provided in subparagraph 2. of paragraph ~~(c)~~~~(d)~~ of this  
 7 subsection, any candidate, slate of candidates, or political issues  
 8 committee that is exempt from filing campaign finance reports pursuant  
 9 to paragraph (a)~~, (b)~~, (d)~~(e)~~, or (i)~~(j)~~ of this subsection that accepts  
 10 contributions or makes expenditures, or whose campaign treasurer  
 11 accepts contributions or makes expenditures, in excess of the applicable  
 12 limit in any one (1) election without rescinding the request for  
 13 exemption in a timely manner shall comply with all applicable reporting  
 14 requirements and, in lieu of other penalties prescribed by law, may be  
 15 assessed a civil penalty~~pay a fine~~ of no~~not~~ more than five hundred  
 16 dollars (\$500) plus the amount by which the spending limit was  
 17 exceeded.

18 2. Except as provided in subparagraph 2. of paragraph ~~(c)~~~~(d)~~ of this  
 19 subsection, a candidate, slate of candidates, campaign committee, or  
 20 political issues committee that is exempt from filing campaign finance  
 21 reports pursuant to paragraph (a)~~, (b)~~, (d)~~(e)~~, or (i)~~(j)~~ of this  
 22 subsection that knowingly accepts contributions or makes expenditures  
 23 in excess of the applicable spending limit in any one (1) election without  
 24 rescinding the request for exemption in a timely manner shall comply  
 25 with all applicable reporting requirements and shall be guilty of a Class  
 26 D felony.

27 (2) (a) State and county executive committees, and caucus campaign committees

1 shall make a full report, upon a prescribed form, to the registry, of all money,  
2 loans, or other things of value, received from any source, and expenditures  
3 authorized, incurred, or made, since the date of the last report, including:

- 4 1. For each contribution of any amount made by a permanent committee,  
5 the name and business address of the permanent committee, the date of  
6 the contribution, the amount contributed, and a description of the major  
7 business, social, or political interest represented by the permanent  
8 committee;
- 9 2. For other contributions in excess of one hundred dollars (\$100), the full  
10 name, address, age if less than the legal voting age, the date of the  
11 contribution, the amount of the contribution, and the employer and  
12 occupation of each contributor. If the contributor is self-employed, the  
13 name under which he or she is doing business shall be listed;
- 14 3. The total amount of cash contributions received during the reporting  
15 period; and
- 16 4. A complete statement of expenditures authorized, incurred, or made.  
17 The complete statement of expenditures shall include the name and  
18 address of each person to whom an expenditure is made in excess of  
19 twenty-five dollars (\$25), and the amount, date, and purpose of each  
20 expenditure.

- 21 (b) This report shall be in the hands of the registry or postmarked within five (5)  
22 days after the thirtieth day following the primary and regular elections. ~~[- If an~~  
23 ~~individual gives a reportable contribution to a caucus campaign committee or~~  
24 ~~to a state or county executive committee with the intention that the~~  
25 ~~contribution or a portion of the contribution go to a candidate or slate of~~  
26 ~~candidates, the name of the contributor and the sum shall be indicated on the~~  
27 ~~committee report.] The receipts and expenditures of funds remitted to each~~



1 political party under KRS 141.071 to 141.073 shall be separately accounted  
2 for and reported to the registry in the manner required by KRS 121.230. The  
3 separate report may be made a separate section within the report required, by  
4 this subsection, to be in the hands of the registry or postmarked within five (5)  
5 days after the thirtieth day following each regular election.

6 (3) (a) Except for candidates or slates of candidates, campaign committees, or  
7 political issues committees exempted from reporting requirements pursuant to  
8 subsection (1) of this section, each campaign treasurer of a candidate, slate of  
9 candidates, campaign committee, or political issues committee who accepts  
10 contributions or expends, expects to accept contributions or expend, or  
11 contracts to expend more than three thousand dollars (\$3,000) in any one (1)  
12 election, and each fundraiser who secures contributions in excess of three  
13 thousand dollars (\$3,000) in any one (1) election, shall make a full report to  
14 the registry, on a form provided or using a format approved by the registry, of  
15 all money, loans, or other things of value, received from any source, and  
16 expenditures authorized, incurred, and made, since the date of the last report,  
17 including:

- 18 1. For each contribution of any amount made by a permanent committee,  
19 the name and business address of the permanent committee, the date of  
20 the contribution, the amount contributed, and a description of the major  
21 business, social, or political interest represented by the permanent  
22 committee;
- 23 2. For each contribution in excess of one hundred dollars (\$100) made to a  
24 candidate or slate of candidates for a statewide-elected state office, or to  
25 a campaign committee for a candidate or slate of candidates for a  
26 statewide-elected state office, the date, name, address, occupation, and  
27 employer of each contributor and the spouse of the contributor or, if the

- 1 contributor or spouse of the contributor is self-employed, the name  
2 under which he or she is doing business, and the amount contributed by  
3 each contributor; and
- 4 3. For each contribution in excess of one hundred dollars (\$100) made to  
5 any candidate or campaign committee other than those specified in  
6 subparagraph 2. of this paragraph or a political issues committee, the full  
7 name, address, age if less than the legal voting age, the date of the  
8 contribution, the amount of the contribution, and the employer and  
9 occupation of each other contributor. If the contributor is self-employed,  
10 the name under which he or she is doing business shall be listed;
- 11 4. The total amount of cash contributions received during the reporting  
12 period; and
- 13 5. A complete statement of all expenditures authorized, incurred, or made.  
14 The complete statement of expenditures shall include the name, address,  
15 and occupation of each person to whom an expenditure is made in  
16 excess of twenty-five dollars (\$25), and the amount, date, and purpose of  
17 each expenditure.
- 18 (b) Reports of all candidates, slates of candidates, campaign committees, political  
19 issues committees, and registered fundraisers shall be made as follows:
- 20 1. Candidates as defined in KRS 121.015(8), slates of candidates,  
21 campaign committees, political issues committees, and fundraisers  
22 which register in the year before the year an election in which the  
23 candidate, a slate of candidates, or public question shall appear on the  
24 ballot, shall file financial reports with the registry at the end of the first  
25 calendar quarter after persons become candidates or slates of candidates,  
26 or following registration of the committee or fundraiser, and each  
27 calendar quarter thereafter, ending with the last calendar quarter of that

- 1 year. Candidates, slates of candidates, committees, and registered  
2 fundraisers shall make all reports required by this section during the year  
3 in which the election takes place;
- 4 2. All candidates, slates of candidates, campaign committees, political  
5 issues committees, and registered fundraisers shall make reports on the  
6 twenty-first~~[thirty-second]~~ day preceding an election, including all  
7 previous contributions and expenditures; and
- 8 ~~3. [All candidates, slates of candidates, campaign committees, political  
9 issues committees, and registered fundraisers shall make reports on the  
10 fifteenth day preceding the date of the election; and~~
- 11 ~~4.]~~ All reports to the registry shall be received by the registry or postmarked  
12 within five (5) days after each filing deadline.
- 13 (4) Except for candidates, slates of candidates, and political issues committees,  
14 exempted pursuant to subsection (1)~~(a)~~~~(b)~~ of this section, all candidates,  
15 regardless of funds received or expended, campaign committees, political issues  
16 committees, and registered fundraisers shall make post-election reports within thirty  
17 (30) days after the election.
- 18 (5) In making the preceding reports, the total gross receipts from each of the following  
19 categories shall be listed: proceeds from the sale of tickets for events such as  
20 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass  
21 collections made at the events, and sales of items such as campaign pins, buttons,  
22 hats, ties, literature, and similar materials. When any individual purchase or the  
23 aggregate purchases of any item enumerated above from a candidate or slate of  
24 candidates for a statewide-elected state office or a campaign committee for a  
25 candidate or slate of candidates for a statewide-elected state office exceeds one  
26 hundred dollars (\$100), the purchaser shall be identified by name, address, age, if  
27 less than the legal voting age, occupation, and employer and the employer of the

1 spouse of the purchaser or, if the purchaser or the spouse of the purchaser is self-  
2 employed, the name under which he or she is doing business, and the amount of the  
3 purchase. When any individual purchase or the aggregate purchases of any item  
4 enumerated above from any candidate or campaign committee other than a  
5 candidate or slate of candidates for a statewide-elected state office or campaign  
6 committee for a candidate or slate of candidates for a statewide-elected state office  
7 exceeds one hundred dollars (\$100), the purchaser shall be identified by name,  
8 address, age if less than the legal voting age, occupation, and employer, or if the  
9 purchaser is self-employed, the name under which he or she is doing business, and  
10 the amount of the purchase. The lists shall be maintained by the campaign treasurer,  
11 political issues committee treasurer, registered fundraiser, or other sponsor for  
12 inspection by the registry for six (6) years following the date of the election.

13 (6) Each permanent committee, except a federally registered out-of-state permanent  
14 committee, inaugural committee, or contributing organization shall make a full  
15 report to the registry, on a form provided or using a format approved by the registry,  
16 of all money, loans, or other things of value, received by it from any source, and all  
17 expenditures authorized, incurred, or made, since the date of the last report,  
18 including:

19 (a) For each contribution of any amount made by a permanent committee, the  
20 name and business address of the permanent committee, the date of the  
21 contribution, the amount contributed, and a description of the major business,  
22 social, or political interest represented by the permanent committee;

23 (b) For other contributions in excess of one hundred dollars (\$100), the full name,  
24 address, age if under the legal voting age, the date of the contribution, the  
25 amount of the contribution, and the employer and occupation of each  
26 contributor. If the contributor is self-employed, the name under which he or  
27 she is doing business shall be listed;

- 1 (c) An aggregate amount of cash contributions, the amount contributed by each  
 2 contributor, and the date of each contribution; and
- 3 (d) A complete statement of all expenditures authorized, incurred, or made,  
 4 including independent expenditures. This report shall be made by a permanent  
 5 committee, inaugural committee, or contributing organization to the registry  
 6 on the last day of the first calendar quarter following the registration of the  
 7 committee with the registry and on the last day of each succeeding calendar  
 8 quarter until such time as the committee terminates. A contributing  
 9 organization shall file a report of contributions received and expenditures on a  
 10 form provided or using a format approved by the registry not later than the last  
 11 day of each calendar quarter in which contributions are received or  
 12 expenditures are made. All reports to the registry shall be postmarked or  
 13 received not later than five (5) days after each filing deadline.
- 14 (7) If the final statement of a candidate, campaign committee, or political issues  
 15 committee shows an unexpended balance of contributions, continuing debts and  
 16 obligations, or an expenditure deficit, the campaign treasurer shall file with the  
 17 registry  ~~a ] supplemental statements [statement] of contributions and expenditures [~~  
 18  ~~not more than thirty (30) days after the deadline for filing the final statement.~~  
 19  ~~Subsequent supplemental statements shall be filed ]~~ annually **that shall cover all**  
 20 **transactions through October 31.**  ~~] ] Supplemental statements shall [to] be received  
 21 by the registry or postmarked  ~~no [not] later than fifteen [ten] (15) [(10)] days after~~  
 22 **October 31**  ~~[November 1] ]~~ of each year, until the account shows no unexpended  
 23 balance, continuing debts and obligations, expenditures, or deficit, or until the year  
 24 before the candidate or a slate of candidates seeks to appear on the ballot for the  
 25 same office for which the funds in the campaign account were originally  
 26 contributed.  ~~] ] Then [in which case] the candidate or a slate of candidates shall file~~  
 27 the supplemental annual report  ~~no [not] later than fifteen [ten] (15) [(10)] days after~~~~

1       October 31~~[November 1]~~ of that year or at the end of the first calendar quarter of  
2       that year after the candidate or slate of candidates files nomination papers for the  
3       next year's primary or regular election. All contributions shall be subject to KRS  
4       121.150.

5       (8) All reports filed under the provisions of this chapter shall be a matter of public  
6       record open to inspection by any member of the public immediately upon receipt of  
7       the report by the registry.

8       (9) A candidate or slate of candidates is relieved of the duty personally to file reports  
9       and keep records of receipts and expenditures if the candidate or slate states in  
10      writing or on forms provided by the registry that:

11      (a) Within five (5) business days after personally receiving any contributions, the  
12      candidate or slate of candidates shall surrender possession of the contributions  
13      to the treasurer of their principal campaign committee without expending any  
14      of the proceeds thereof. No contributions shall be commingled with the  
15      candidate's or slated candidates' personal funds or accounts. Contributions  
16      received by check, money order, or other written instrument shall be endorsed  
17      directly to the campaign committee and shall not be cashed or redeemed by  
18      the candidate;

19      (b) The candidate or slate of candidates shall not make any unreimbursed  
20      expenditure for the campaign, except that this paragraph does not preclude a  
21      candidate or slate from making an expenditure from personal funds to the  
22      designated principal campaign committee, which shall be reported by the  
23      committee as a contribution received; and

24      (c) The waiver shall continue in effect as long as the candidate or slate of  
25      candidates complies with the conditions under which it was granted.

26      (10) No candidate, slate of candidates, campaign committee, political issues committee,  
27      or contributing organization shall use or permit the use of contributions or funds

1 solicited or received for the person or in support of or opposition to a public issue  
2 which will appear on the ballot to further the candidacy of the person for a different  
3 public office, to support or oppose a different public issue, or to further the  
4 candidacy of any other person for public office; except that nothing in this  
5 subsection shall be deemed to prohibit a candidate or slate of candidates from using  
6 funds in the campaign account to purchase admission tickets for any fundraising  
7 event or testimonial affair for another candidate or slate of candidates if the amount  
8 of the purchase does not exceed one hundred dollars (\$100) per event or affair. Any  
9 funds or contributions solicited or received by or on behalf of a candidate, slate of  
10 candidates, or any committee, which has been organized in whole or in part to  
11 further any candidacy for the same person or to support or oppose the same public  
12 issue, shall be deemed to have been solicited or received for the current candidacy  
13 or for the election on the public issue if the funds or contributions are solicited or  
14 received at any time prior to the regular election for which the candidate, slate of  
15 candidates, or public issue is on the ballot. Any unexpended balance of funds not  
16 otherwise obligated for the payment of expenses incurred to further a political issue  
17 or the candidacy of a person shall, in whole or in part, at the election of the  
18 candidate or committee, escheat to the State Treasury, be returned pro rata to all  
19 contributors, or, in the case of a partisan candidate, be transferred to a caucus  
20 campaign committee, or to the state or county executive committee of the political  
21 party of which the candidate is a member except that a candidate, committee, or an  
22 official may retain the funds to further the same public issue or to seek election to  
23 the same office or may donate the funds to any charitable, nonprofit, or educational  
24 institution recognized under Section 501(c)(3) of the United States Internal Revenue  
25 Code of 1986, as amended, and any successor thereto.

26 (11) (a) For the purposes of this subsection, "election cycle," as applied to  
27 contributions, expenditures, or loans to support or oppose a candidate for a

1 particular office, means the period of time beginning January 1 following a  
2 regular election for the office and ending December 31 following the next  
3 regular election for that office.

4 (b) For the purpose of this subsection, "election cycle," as applied to  
5 contributions, expenditures, or loans to support or oppose a constitutional  
6 amendment or public question which appears on the ballot, means the period  
7 of time beginning January 1 following a regular election for any state  
8 legislative office and ending December 31 following the next regular election  
9 for any state legislative office.

10 (c) If adequate and appropriate agency funds are available to implement this  
11 subsection, the option of electronic reporting shall be made available by the  
12 registry to all candidates, committees, registered fundraisers, and persons  
13 making independent expenditures, in addition to those candidates, slates of  
14 candidates, and campaign committees that are required to electronically report  
15 under KRS 121.120(6)(h).

16 (12) Filers specified in subsection (11) of this section ~~may~~~~shall also continue to~~ file  
17 required campaign finance reports in paper or electronic format ~~until the registry~~  
18 ~~deems it is no longer necessary~~. *If the candidate or slate of candidates chooses to*  
19 *file a report in electronic format,* the electronic~~paper~~ copy shall ~~continue to~~ be  
20 the official version for audit and other legal purposes.

21 (13) Filers not required to file reports electronically, as set forth in this section, are  
22 strongly encouraged to do so voluntarily.

23 (14) The date that an electronic or on-line report shall be deemed to have been filed with  
24 the registry shall be the date on which it is received by the registry.

25 (15) All electronic or online filers shall affirm, under penalty of perjury, that the report  
26 filed with the registry is complete and accurate.

27 (16) Filers who submit computer disks which are not readable, cannot be copied, or are



1 not accompanied by any requisite paper copy shall be deemed to not be in  
2 compliance with the requirements set forth in this section.

3 (17) No candidate is obligated to file any reports electronically, except for those  
4 candidates, slates of candidates, and campaign committees that are required to  
5 electronically report under KRS 121.120(6)(h).

6 (18) (a) On each paper and electronic form that it supplies for the reports required  
7 under subsections (2), (3), and (6) of this section, the registry shall include an  
8 entry reading, "No change since last report."

9 (b) If a person or entity that is required to report under subsection (2), (3), or (6)  
10 of this section has received no money, loans, or other things of value from any  
11 source since the date of its last report and has not authorized, incurred, or  
12 made any expenditures since that date, the person or entity may check or  
13 otherwise designate the entry that reads, "No change since last report." A  
14 person or entity designating this entry in a report shall state the balance carried  
15 forward from the last report but need not specify receipts or expenditures in  
16 further detail.