

1 AN ACT relating to election finance.

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

3 ➔Section 1. KRS 23A.070 is amended to read as follows:

4 (1) The Thirtieth Judicial Circuit is entitled to twenty-three (23) judges and shall have
5 twenty-three (23) numbered divisions of the Circuit Court. The Circuit Court
6 divisions designated for family court shall be consecutively numbered beginning
7 with the Thirtieth Judicial Circuit, First Division, Family Court. All other Circuit
8 Court divisions shall be consecutively numbered beginning with the Thirtieth
9 Judicial Circuit, First Division, and shall appear on the ballot prior to the designated
10 family court divisions. These designations shall apply for election purposes and all
11 other purposes.

12 (2) Notwithstanding any provision of KRS 121.180~~(9)~~~~(10)~~ to the contrary, a judicial
13 candidate whose division number is altered pursuant to subsection (1) of this
14 section subsequent to the establishment of a campaign account with the Kentucky
15 Registry of Election Finance may expend the funds contained in the established
16 account for election to the judicial division to which they were elected or appointed.

17 ➔Section 2. KRS 121.150 is amended to read as follows:

18 (1) No contribution shall be made or received, directly or indirectly, other than an
19 independent expenditure, to support inauguration activities or to support or defeat a
20 candidate, slate of candidates, constitutional amendment, or public question which
21 will appear on the ballot in an election, except through the duly appointed campaign
22 manager, or campaign treasurer of the candidate, slate of candidates, or registered
23 committee. Any person making an independent expenditure, shall report these
24 expenditures when the expenditures by that person exceed five hundred dollars
25 (\$500) in the aggregate in any one (1) election, on a form provided or using a format
26 approved by the registry and shall sign a statement on the form, under penalty of
27 perjury, that the expenditure was an actual independent expenditure and that there

1 was no prior communication with the campaign on whose behalf it was made.

2 (2) Except as provided in KRS 121.180(2)(10), the solicitation from and contributions
3 by campaign committees, caucus campaign committees, political issues committees,
4 permanent committees, and party executive committees to any religious, charitable,
5 civic, eleemosynary, or other causes or organizations established primarily for the
6 public good is expressly prohibited; except that it shall not be construed as a
7 violation of this section for a candidate or a slate of candidates to contribute to
8 religious, civic, or charitable groups.

9 (3) No candidate, slate of candidates, committee, or contributing organization, nor
10 anyone acting on their behalf, shall accept any anonymous contribution in excess of
11 fifty dollars (\$50), and all anonymous contributions in excess of fifty dollars (\$50)
12 shall be returned to the donor, if the donor can be determined. If no donor is found,
13 the contribution shall escheat to the state. No candidate, slate of candidates,
14 committee, or contributing organization, nor anyone acting on their behalf shall
15 accept anonymous contributions in excess of one thousand dollars (\$1,000) in the
16 aggregate in any one (1) election. Anonymous contributions in excess of one
17 thousand dollars (\$1,000) in the aggregate which are received in any one (1)
18 election shall escheat to the state.

19 (4) No candidate, slate of candidates, committee, or contributing organization, nor
20 anyone on their behalf, shall accept a cash contribution in excess of fifty dollars
21 (\$50) in the aggregate from each contributor in any one (1) election. No candidate,
22 slate of candidates, committee, or contributing organization, nor anyone on their
23 behalf, shall accept a cashier's check or money order in excess of the maximum cash
24 contribution limit unless the instrument clearly identifies both the payor and the
25 payee. A contribution made by cashier's check or money order which identifies both
26 the payor and payee shall be treated as a contribution made by check for purposes of
27 the contribution limits contained in this section. No person shall make a cash

- 1 contribution in excess of fifty dollars (\$50) in the aggregate in any one (1) election
2 to a candidate, slate of candidates, committee, or contributing organization, nor
3 anyone on their behalf.
- 4 (5) No candidate, slate of candidates, committee, contributing organization, nor anyone
5 on their behalf, shall accept any contribution in excess of one hundred dollars
6 (\$100) from any person who shall not become eighteen (18) years of age on or
7 before the day of the next regular~~general~~ election.
- 8 (6) No candidate, slate of candidates, campaign committee, political issues committee,
9 nor anyone acting on their behalf, shall accept a contribution of more than one
10 thousand dollars (\$1,000) from any person, permanent committee, or contributing
11 organization in any one (1) election. No person, permanent committee, or
12 contributing organization shall contribute more than one thousand dollars (\$1,000)
13 to any one (1) candidate, campaign committee, political issues committee, nor
14 anyone acting on their behalf, in any one (1) election.
- 15 (7) Permanent committees or contributing organizations affiliated by bylaw structure or
16 by registration, as determined by the Registry of Election Finance, shall be
17 considered as one (1) committee for purposes of applying the contribution limits of
18 subsection (6) of this section.
- 19 (8) No permanent committee shall contribute funds to another permanent committee for
20 the purpose of circumventing contribution limits of subsection (6) of this section.
- 21 (9) No person shall contribute funds to a permanent committee, political issues
22 committee, or contributing organization for the purpose of circumventing the
23 contribution limits of subsection (6) of this section.
- 24 (10) No person shall contribute more than one thousand five hundred dollars (\$1,500) to
25 all permanent committees and contributing organizations in any one (1) year.
- 26 (11) No person shall contribute more than two thousand five hundred dollars (\$2,500) to
27 the state executive committee of a political party and its subdivisions and affiliates

1 in any one (1) year. No person shall contribute more than two thousand five
2 hundred dollars (\$2,500) to a caucus campaign committee in any one (1) year.
3 Contributions a person makes to any executive committee other than the state
4 executive committee in excess of one thousand dollars (\$1,000) in any one (1) year
5 shall be deposited in a separate account which the state executive committee
6 maintains for the exclusive purpose of paying administrative costs incurred by the
7 political party.

8 (12) No person shall make a payment, distribution, loan, advance, deposit, or gift of
9 money to another person to contribute to a candidate, a slate of candidates,
10 committee, contributing organization, or anyone on their behalf. No candidate, slate
11 of candidates, committee, contributing organization, nor anyone on their behalf
12 shall accept a contribution made by one (1) person who has received a payment,
13 distribution, loan, advance, deposit, or gift of money from another person to
14 contribute to a candidate, a slate of candidates, committee, contributing
15 organization, or anyone on their behalf.

16 (13) No candidates running as a slate for the offices of Governor and Lieutenant
17 Governor shall make combined total personal loans to their committee in excess of
18 fifty thousand dollars (\$50,000) in any one (1) election. No candidate for any other
19 statewide elected state office shall lend to his or her committee any amount in
20 excess of twenty-five thousand dollars (\$25,000) in any one (1) election. In
21 campaigning for all other offices, no candidate shall lend to his or her committee
22 more than ten thousand dollars (\$10,000) in any one (1) election.

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

1 ~~election~~ expenses after the date of the primary.

2 (15) Subject to the provisions of subsection (18) of this section, no candidate or slate of
3 candidates for any state, county, city, or district office at a regular election, nor their
4 campaign committees, nor anyone on their behalf, shall solicit or accept
5 contributions for regular election expenses after the date of the regular election. No
6 person other than the candidate or slate of candidates shall contribute for regular
7 election expenses after the date of the regular election.

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

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

19 (18) A candidate, slate of candidates, or a campaign committee may solicit and accept
20 contributions after the date of a primary~~[-election]~~, regular election, or special
21 election to defray necessary expenses that arise after the date of the election
22 associated with election contests, recounts, and recanvasses of a specific election,
23 complaints regarding alleged campaign finance violations that are filed with the
24 registry pertaining to a specific election, or other legal actions pertaining to a
25 specific election to which a candidate, slate of candidates, or campaign committee is
26 a party. Reports of contributions received and expenditures made after the date of
27 the specific election shall be made in accordance with KRS 121.180.

- 1 (19) No slate of candidates for Governor and Lieutenant Governor or their immediate
2 families shall loan any money, service, or other thing of value to their campaign,
3 and all moneys, services, or other things of value which are loaned shall be deemed
4 a contribution, which may not be recovered by the slate of candidates, except to the
5 extent of a combined total of fifty thousand dollars (\$50,000).
- 6 (20) No candidate, slate of candidates, committee, except a political issues committee, or
7 contributing organization, nor anyone on their behalf, shall knowingly accept a
8 contribution from a corporation, directly or indirectly.
- 9 (21) Nothing in this section shall be construed to restrict the ability of a corporation to
10 administer its permanent committee insofar as its actions can be deemed not to
11 influence an election as prohibited by KRS 121.025.
- 12 (22) No candidate, slate of candidates, or committee, nor anyone on their behalf, shall
13 solicit a contribution of money or services from a state employee, whether or not the
14 employee is covered by the classified service provisions of KRS Chapter 18A.
15 However, it shall not be a violation of this subsection for a state employee to
16 receive a solicitation directed to him *or her* as a registered voter in an identified
17 precinct as part of an overall plan to contact voters not identified as state employees.
- 18 (23) (a) A candidate or a slate of candidates for elective public office shall not accept
19 contributions from permanent committees which, in the aggregate, exceed
20 fifty percent (50%) of the total contributions accepted by the candidate or a
21 slate of candidates in any one (1) election or ten thousand dollars (\$10,000) in
22 any one (1) election, whichever is the greater amount. The percentage of the
23 total contributions or dollar amounts of contributions accepted by a candidate
24 or a slate of candidates in an election that is accepted from permanent
25 committees shall be calculated as of the day of each election. Funds in a
26 candidate's or a slate of candidates' campaign account which are carried
27 forward from one (1) election to another shall not be considered in calculating

1 the acceptable percentage or dollar amount of contributions which may be
2 accepted from permanent committees for the election for which the funds are
3 carried forward. A candidate or a slate of candidates may, without penalty,
4 contribute funds to his or her campaign account not later than sixty (60) days
5 following the election so as not to exceed the permitted percentage or dollar
6 amount of contributions which may be accepted from permanent committees
7 or the candidate or a slate of candidates may, not later than sixty (60) days
8 after the end of the election, refund any excess permanent committee
9 contributions on a pro rata basis to the permanent committees whose
10 contributions are accepted after the aggregate limit has been reached.

11 (b) The provisions of paragraph (a) of this subsection regarding the receipt of
12 aggregate contributions from permanent committees in any one (1) election
13 shall also apply separately to the receipt of aggregate contributions from
14 executive committees of any county, district, state, or federal political party in
15 any one (1) election.

16 (c) The provisions of paragraph (a) of this subsection regarding the receipt of
17 aggregate contributions from permanent committees in any one (1) election
18 shall also apply separately to the receipt of aggregate contributions from
19 caucus campaign committees.

20 (24) No candidate or slate of candidates for any office in this state shall accept a
21 contribution, including an in-kind contribution, which is made from funds in a
22 federal campaign account. No person shall make a contribution, including an in-
23 kind contribution, from funds in a federal campaign account to any candidate or
24 slate of candidates for any office in this state.

25 ➔Section 3. KRS 121.170 is amended to read as follows:

26 (1) Any committee, except a federally registered out-of-state permanent committee,
27 organized under any provisions of this chapter shall register with the registry, by

1 filing official notice of intention at the time of organization, giving names,
2 addresses, and positions of the officers of the organization, identifying an official
3 contact person of the committee, and designating the candidate or candidates, slate
4 of candidates, or question it is organized to support or oppose on forms prescribed
5 by the registry; except that no campaign committee for a slate of candidates for
6 Governor and Lieutenant Governor shall be registered prior to the filing of a joint
7 notification and declaration by the slate of candidates pursuant to KRS 118.125 and
8 118.127. No entity which is excluded from the definition of "campaign committee"
9 established in KRS 121.015(3)(a) shall be required to register as a committee with
10 the registry. The name of the committee shall reasonably identify to the public the
11 sponsorship and purpose of the committee. The forms filed with the registry shall
12 require the registrant to clearly identify the specific purpose, sponsorship, and
13 source from which the committee originates; and the registry shall refuse to allow
14 filing by any committee until this requirement has been satisfied.

15 (2) Any person who acts as a fundraiser by directly soliciting contributions for an
16 election campaign of a candidate or slate of candidates for statewide-elected state
17 office or an office in a jurisdiction containing in excess of two hundred thousand
18 (200,000) residents shall register with the registry when he or she raises in excess of
19 three thousand dollars (\$3,000) in any one (1) election for the campaign committee
20 by filing official notice giving his or her name, address, occupation, employer or, if
21 he or she is self-employed, the name under which he or she is doing business, and
22 all candidates or slates of candidates for whom he or she is soliciting on forms
23 prescribed by the registry. A registered fundraiser shall comply with the campaign
24 finance reporting requirements of KRS 121.180~~[(3), (4), and (5)]~~.

25 (3) All provisions of KRS 121.160 governing the duties and responsibilities of a
26 candidate, slate of candidates, or campaign treasurer shall apply to a registered
27 committee, except a federally registered out-of-state permanent committee, and a

1 person acting as a campaign fundraiser. In case of the death, resignation, or removal
2 of a campaign treasurer for a permanent committee or executive committee, the
3 chairperson of the permanent committee or executive committee shall, within three
4 (3) days after receiving notice of the vacancy by certified mail, appoint a successor
5 as treasurer for the committee and file the name and address of the successor with
6 the registry. The chairperson of the permanent committee or executive committee
7 shall be accountable as the treasurer for the committee if the chairperson fails to
8 meet this filing requirement.

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

11 (5) Any federally registered out-of-state permanent committee that contributes to a
12 Kentucky candidate or a slate of candidates shall:

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

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

18 (c) Contribute not more than the maximum amount permitted for a permanent
19 committee to make under Kentucky law to any candidate or to any slate of
20 candidates for any office in this Commonwealth.

21 (6) Notwithstanding any provision of law to the contrary, a contribution made by a
22 federally registered permanent committee to any candidate or to any slate of
23 candidates for any office in this Commonwealth that complies with the provisions
24 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.
25 sec. 114.1-114.12 regarding limitations on contributions by corporations shall be
26 deemed to comply with the campaign finance laws of this Commonwealth
27 prohibiting corporate contributions to candidates or slates of candidates.

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

3 (8) The official contact person of a permanent committee shall not be a legislative agent
4 as defined in KRS 6.611 or an executive agency lobbyist as defined in KRS
5 11A.201.

6 ➔Section 4. KRS 121.180 is amended to read as follows:

7 (1) (a) Any candidate, slate of candidates, or political issues committee shall be
8 exempt from filing any preelection finance reports required by subsection (3)
9 of this section if the candidate, slate of candidates, or political issues
10 committee chairman files a form prescribed and furnished by the registry
11 stating that contributions will not be accepted or expended in excess of three
12 thousand dollars (\$3,000) in any one (1) election to further the candidacy or to
13 support or oppose a constitutional amendment or public question which will
14 appear on the ballot. For a candidate for judicial office who desires to be
15 exempt from filing preelection campaign finance reports as provided in this
16 paragraph, the request for exemption shall be filed by the campaign treasurer
17 of the candidate's campaign committee, but the candidate shall be personally
18 liable for any violation if the campaign treasurer accepts contributions or
19 makes expenditures in excess of the limit and shall be subject to the same
20 penalties as a candidate as provided in paragraph (1)1. or 2. of this subsection.
21 A separate form shall be required for each primary, regular, or special election
22 in which the candidate or slate of candidates participates or in which the
23 public question appears on the ballot, unless the candidate, slate of candidates,
24 or political issues committee chairman indicates on a request for exemption
25 that the request will be applicable to more than one (1) election. The form
26 shall be filed with the same office with which a candidate or slate of
27 candidates files nomination papers or, in the case of a political issues

1 committee, with the registry.

2 (b) Any candidate, slate of candidates, or political issues committee shall be
3 exempt from filing any campaign finance reports required by subsections (3)
4 and ~~(6)~~~~(4)~~ of this section if the candidate, slate of candidates, or political
5 issues committee chair~~chairman~~ files a form prescribed and furnished by the
6 registry stating that currently no contributions have been received and that
7 contributions will not be accepted or expended in excess of one thousand
8 dollars (\$1,000) in any one (1) election. For a candidate for judicial office who
9 desires to be exempt from filing any campaign finance reports as provided in
10 this paragraph, the request for exemption shall be filed by the campaign
11 treasurer of the candidate's campaign committee, but the candidate shall be
12 personally liable for any violation if the campaign treasurer accepts
13 contributions or makes expenditures in excess of the limit and shall be subject
14 to the same penalties as a candidate as provided in subparagraph (1)1. or 2. of
15 this subsection. A separate form shall be required for each primary, regular, or
16 special election in which the candidate or slate of candidates participates or in
17 which the public question appears on the ballot, unless the candidate, slate of
18 candidates, or political issues committee chair~~chairman~~ indicates on a
19 request for exemption that the request will be applicable to more than one (1)
20 election. The form shall be filed with the same office with which a candidate
21 or slate of candidates files nomination papers or, in the case of a political
22 issues committee, with the registry.

23 (c) For a primary~~election~~, a candidate or slate of candidates shall file a request
24 for exemption not later than the deadline for filing nomination papers and,
25 except as provided in subparagraph 2. of paragraph (d) of this subsection,
26 shall be bound by its terms unless it is rescinded in writing not later than
27 fifteen (15) days after the filing deadline. For a regular election, a candidate or

1 slate of candidates shall file or rescind in writing a request for exemption not
2 later than twenty-five (25) days after the date of the preceding primary~~[~~
3 ~~election]~~, except as provided in subparagraph 2. of paragraph (d) of this
4 subsection. For a special election, a candidate or slate of candidates shall file a
5 request for exemption not later than ten (10) days after the candidate or slate
6 of candidates is nominated for a special election and shall be bound by its
7 terms unless it is rescinded in writing not later than twenty-five (25) days after
8 the date on which the nomination for a special election is made. A political
9 issues committee chair~~[chairman]~~ shall file a request for exemption not later
10 than ten (10) days after the date on which the committee registers with the
11 registry and shall be bound by its terms unless it is rescinded in writing not
12 later than fifteen (15) days after the date on which the request for exemption is
13 filed.

- 14 (d) 1. A candidate or slate of candidates that revokes a request for exemption
15 in a timely manner may exercise the remaining option or may file all
16 reports required of a candidate intending to raise or spend in excess of
17 three thousand dollars (\$3,000) in an election. If a candidate or slate of
18 candidates elects to exercise a different option, the candidate or slate of
19 candidates shall file the appropriate form with the officer who received
20 the filing papers of the candidate or slate of candidates not later than the
21 deadline for filing a revocation.
- 22 2. A candidate for any city or county office or for any school board office,
23 who is exempted from some or all campaign finance reporting
24 requirements pursuant to paragraph (a) or (b) of this subsection but who
25 accepts contributions or makes expenditures in excess of the exempted
26 amount in an election, shall file all applicable reports required for the
27 remainder of that election, based upon the amount of contributions or

1 expenditures the candidate accepts or receives in that election. The filing
2 of applicable required reports by a candidate after the exempted amount
3 is exceeded shall serve as notice to the registry that the initial exemption
4 has been rescinded. No further notice to the registry shall be required
5 and no penalty for exceeding the initial exempted amount shall be
6 imposed against the candidate, except for failure to file applicable
7 reports required after the exempted amount is exceeded.

8 (e) Any candidate or slate of candidates that is subject to an August filing
9 deadline and that intends to execute a request for exemption shall file the
10 appropriate request for exemption not later than the filing deadline and, except
11 as provided in subparagraph 2. of paragraph (d) of this subsection, shall be
12 bound by its terms unless it is rescinded in writing not later than fifteen (15)
13 days after the filing deadline. A candidate or slate of candidates that is covered
14 by this paragraph shall have the same reversion rights as those provided in
15 subparagraph 1. of paragraph (d) of this subsection.

16 (f) Any candidate or slate of candidates that will appear on the ballot in a regular
17 election that has signed either request for exemption for that election may
18 exercise the reversion rights provided in subparagraph 1. of paragraph (d) of
19 this subsection if a candidate or slate of candidates that is subject to an August
20 filing deadline subsequently files in opposition to the candidate or slate of
21 candidates. Except as provided in subparagraph 2. of paragraph (d) of this
22 subsection, a candidate or slate of candidates covered by this paragraph shall
23 comply with the deadline for rescission provided in subparagraph 1. of
24 paragraph (d) of this subsection.

25 (g) Except as provided in subparagraph 2. of paragraph (d) of this subsection, any
26 candidate or slate of candidates that has filed a request for exemption for a
27 regular election that later is opposed by a person who has filed a declaration of

1 intent to receive write-in votes may rescind the request for exemption and
2 exercise the reversion rights provided in subparagraph 1. of paragraph (d) of
3 this subsection.

4 (h) Any candidate or slate of candidates that has filed a request for exemption
5 may petition the registry to determine whether another person is campaigning
6 as a write-in candidate prior to having filed a declaration of intent to receive
7 write-in votes, and, if the registry determines upon a preponderance of the
8 evidence that a person who may later be a write-in candidate is conducting a
9 campaign, the candidate or slate of candidates, except as provided in
10 subparagraph 2. of paragraph (d) of this subsection, may petition the registry
11 to permit the candidate or slate of candidates to exercise the reversion rights
12 provided in subparagraph 1. of paragraph (d) of this subsection.

13 (i) If the opponent of a candidate or slate of candidates is replaced due to his
14 withdrawal because of death, disability, or disqualification, the candidate or
15 slate of candidates, except as provided in subparagraph 2. of paragraph (d) of
16 this subsection, may exercise the reversion rights provided in subparagraph 1.
17 of paragraph (d) of this subsection not later than fifteen (15) days after the
18 party executive committee nominates a replacement for the withdrawn
19 candidate or slate of candidates.

20 (j) A person intending to be a write-in candidate for any office in a regular or
21 special election may execute a request for exemption under paragraph (a) or
22 (b) of this subsection and shall be bound by its terms unless it is rescinded in
23 writing not later than fifteen (15) days after the filing deadline for the regular
24 or special election. A person intending to be a write-in candidate who revokes
25 a request for exemption in a timely manner may exercise the remaining
26 exemption option or may file all reports required of a candidate intending to
27 raise or spend in excess of three thousand dollars (\$3,000) in an election.

1 Except as provided in subparagraph 2. of paragraph (d) of this subsection, a
2 person intending to be a write-in candidate who elects to exercise a different
3 exemption option shall file the appropriate form with the officer who received
4 the initial request for exemption not later than fifteen (15) days after the filing
5 deadline for the regular or special election.

6 (k) Except as provided in subparagraph 2. of paragraph (d) of this subsection, the
7 campaign committee of any candidate or slate of candidates that has filed a
8 request for exemption or a political issues committee whose *chair*~~[chairman]~~
9 has filed a request for exemption shall be bound by its terms unless it is
10 rescinded in a timely manner and no new request for exemption has been
11 executed.

12 (l) 1. Except as provided in subparagraph 2. of paragraph (d) of this
13 subsection, any candidate, slate of candidates, or political issues
14 committee that is exempt from filing campaign finance reports pursuant
15 to paragraph (a), (b), (e), or (j) of this subsection that accepts
16 contributions or makes expenditures, or whose campaign treasurer
17 accepts contributions or makes expenditures, in excess of the applicable
18 limit in any one (1) election without rescinding the request for
19 exemption in a timely manner shall comply with all applicable reporting
20 requirements and, in lieu of other penalties prescribed by law, pay a fine
21 of not more than five hundred dollars (\$500) plus the amount by which
22 the spending limit was exceeded.

23 2. Except as provided in subparagraph 2. of paragraph (d) of this
24 subsection, a candidate, slate of candidates, campaign committee, or
25 political issues committee that is exempt from filing campaign finance
26 reports pursuant to paragraph (a), (b), (e), or (j) of this subsection that
27 knowingly accepts contributions or makes expenditures in excess of the

1 applicable spending limit in any one (1) election without rescinding the
2 request for exemption in a timely manner shall comply with all
3 applicable reporting requirements and shall be guilty of a Class D
4 felony.

5 (2) (a) State and county executive committees, and caucus campaign committees
6 shall make a full report, upon a prescribed form, to the registry, of all money,
7 loans, or other things of value, received from any source, and expenditures
8 authorized, incurred, or made, since the date of the last report, including:

9 1. For each contribution of any amount made by a permanent committee,
10 the name and business address of the permanent committee, the date of
11 the contribution, the amount contributed, and a description of the major
12 business, social, or political interest represented by the permanent
13 committee;

14 2. For other contributions in excess of one hundred dollars (\$100), the full
15 name, address, age if less than the legal voting age, the date of the
16 contribution, the amount of the contribution, and the employer and
17 occupation of each contributor. If the contributor is self-employed, the
18 name under which he *or she* is doing business shall be listed;

19 3. The total amount of cash contributions received during the reporting
20 period; and

21 4. A complete statement of expenditures authorized, incurred, or made.
22 The complete statement of expenditures shall include the name and
23 address of each person to whom an expenditure is made in excess of
24 twenty-five dollars (\$25), and the amount, date, and purpose of each
25 expenditure.

26 (b) This report shall be in the hands of the registry or postmarked within five (5)
27 days after the thirtieth day following the primary and regular elections. If an

1 individual gives a reportable contribution to a caucus campaign committee or
2 to a state or county executive committee with the intention that the
3 contribution or a portion of the contribution go to a candidate or slate of
4 candidates, the name of the contributor and the sum shall be indicated on the
5 committee report. The receipts and expenditures of funds remitted to each
6 political party under KRS 141.071 to 141.073 shall be separately accounted
7 for and reported to the registry in the manner required by KRS 121.230. The
8 separate report may be made a separate section within the report required, by
9 this subsection, to be in the hands of the registry or postmarked within five (5)
10 days after the thirtieth day following each regular election.

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

23 1. For each contribution of any amount made by a permanent committee,
24 the name and business address of the permanent committee, the date of
25 the contribution, the amount contributed, and a description of the major
26 business, social, or political interest represented by the permanent
27 committee;

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

1 candidate, a slate of candidates, or public question shall appear on the
2 ballot, shall file financial reports with the registry at the end of the first
3 calendar quarter after persons become candidates or slates of candidates,
4 or following registration of the committee or fundraiser, and each
5 calendar quarter thereafter, ending with the last calendar quarter of that
6 year. Candidates, slates of candidates, committees, and registered
7 fundraisers shall make all reports required by this section during the year
8 in which the election takes place;

9 ~~2. [All candidates, slates of candidates, campaign committees, political~~
10 ~~issues committees, and registered fundraisers shall make reports on the~~
11 ~~thirty second day preceding an election, including all previous~~
12 ~~contributions and expenditures;~~

13 ~~3].~~ All candidates, slates of candidates, campaign committees, political
14 issues committees, and registered fundraisers shall make reports on the
15 fifteenth day preceding the date of the election; and

16 ~~3. [4.]~~ All reports to the registry shall be received by the registry or postmarked
17 within five (5) days after each filing deadline.

18 ~~(4) [Except for candidates, slates of candidates, and political issues committees,~~
19 ~~exempted pursuant to subsection (1)(b) of this section, all candidates, regardless of~~
20 ~~funds received or expended, campaign committees, political issues committees, and~~
21 ~~registered fundraisers shall make post election reports within thirty (30) days after~~
22 ~~the election.~~

23 ~~(5)]~~ In making the ~~preceding~~ reports **required by subsections (3) and (6) of this**
24 **section**, the total gross receipts from each of the following categories shall be listed:
25 proceeds from the sale of tickets for events such as testimonial affairs, dinners,
26 luncheons, rallies, and similar fundraising events, mass collections made at the
27 events, and sales of items such as campaign pins, buttons, hats, ties, literature, and

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

19 ~~(5)~~~~(6)~~ Each permanent committee, except a federally registered out-of-state
20 permanent committee, inaugural committee, or contributing organization shall make
21 a full report to the registry, on a form provided or using a format approved by the
22 registry, of all money, loans, or other things of value, received by it from any
23 source, and all expenditures authorized, incurred, or made, since the date of the last
24 report, including:

25 (a) For each contribution of any amount made by a permanent committee, the
26 name and business address of the permanent committee, the date of the
27 contribution, the amount contributed, and a description of the major business,

1 social, or political interest represented by the permanent committee;

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

7 (c) An aggregate amount of cash contributions, the amount contributed by each
8 contributor, and the date of each contribution; and

9 (d) A complete statement of all expenditures authorized, incurred, or made,
10 including independent expenditures. This report shall be made by a permanent
11 committee, inaugural committee, or contributing organization to the registry
12 on the last day of the first calendar quarter following the registration of the
13 committee with the registry and on the last day of each succeeding calendar
14 quarter until such time as the committee terminates. A contributing
15 organization shall file a report of contributions received and expenditures on a
16 form provided or using a format approved by the registry not later than the last
17 day of each calendar quarter in which contributions are received or
18 expenditures are made. All reports to the registry shall be postmarked or
19 received not later than five (5) days after each filing deadline.

20 ~~(6)~~~~(7)~~ **Except for candidates, slates of candidates, and political issues committees**
21 **exempted pursuant to subsection (1)(b) of this section, all candidates, regardless**
22 **of funds received or expended, campaign committees, political issues committees,**
23 **and registered fundraisers shall make post-election reports within forty-five (45)**
24 **days after the election. The post-election report shall include any**~~If the final~~
25 ~~statement of a candidate, campaign committee, or political issues committee shows~~
26 ~~an~~ unexpended balance of contributions, continuing debts and obligations, or an
27 expenditure deficit~~, the campaign treasurer shall file with the registry a~~

1 ~~supplemental statement of contributions and expenditures not more than thirty (30)~~
2 ~~days after the deadline for filing the final statement].~~ Subsequent supplemental
3 statements shall be filed annually, to be received by the registry or postmarked not
4 later than ten (10) days after November 1 of each year, until the account shows no
5 unexpended balance, continuing debts and obligations, expenditures, or deficit, or
6 until the year before the candidate or a slate of candidates seeks to appear on the
7 ballot for the same office for which the funds in the campaign account were
8 originally contributed, in which case the candidate or a slate of candidates shall file
9 the supplemental annual report not later than ten (10) days after November 1 of that
10 year or at the end of the first calendar quarter of that year after the candidate or slate
11 of candidates files nomination papers for the next year's primary or regular election.
12 All contributions shall be subject to KRS 121.150.

13 ~~(7)~~~~(8)~~ All reports filed under the provisions of this chapter shall be a matter of public
14 record open to inspection by any member of the public immediately upon receipt of
15 the report by the registry.

16 ~~(8)~~~~(9)~~ A candidate or slate of candidates is relieved of the duty personally to file
17 reports and keep records of receipts and expenditures if the candidate or slate states
18 in writing or on forms provided by the registry that:

19 (a) Within five (5) business days after personally receiving any contributions, the
20 candidate or slate of candidates shall surrender possession of the contributions
21 to the treasurer of their principal campaign committee without expending any
22 of the proceeds thereof. No contributions shall be commingled with the
23 candidate's or slated candidates' personal funds or accounts. Contributions
24 received by check, money order, or other written instrument shall be endorsed
25 directly to the campaign committee and shall not be cashed or redeemed by
26 the candidate;

27 (b) The candidate or slate of candidates shall not make any unreimbursed

1 expenditure for the campaign, except that this paragraph does not preclude a
2 candidate or slate from making an expenditure from personal funds to the
3 designated principal campaign committee, which shall be reported by the
4 committee as a contribution received; and

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

7 ~~(9)(10)~~ No candidate, slate of candidates, campaign committee, political issues
8 committee, or contributing organization shall use or permit the use of contributions
9 or funds solicited or received for the person or in support of or opposition to a
10 public issue which will appear on the ballot to further the candidacy of the person
11 for a different public office, to support or oppose a different public issue, or to
12 further the candidacy of any other person for public office; except that nothing in
13 this subsection shall be deemed to prohibit a candidate or slate of candidates from
14 using funds in the campaign account to purchase admission tickets for any
15 fundraising event or testimonial affair for another candidate or slate of candidates if
16 the amount of the purchase does not exceed one hundred dollars (\$100) per event or
17 affair. Any funds or contributions solicited or received by or on behalf of a
18 candidate, slate of candidates, or any committee, which has been organized in whole
19 or in part to further any candidacy for the same person or to support or oppose the
20 same public issue, shall be deemed to have been solicited or received for the current
21 candidacy or for the election on the public issue if the funds or contributions are
22 solicited or received at any time prior to the regular election for which the
23 candidate, slate of candidates, or public issue is on the ballot. Any unexpended
24 balance of funds not otherwise obligated for the payment of expenses incurred to
25 further a political issue or the candidacy of a person shall, in whole or in part, at the
26 election of the candidate or committee, escheat to the State Treasury, be returned
27 pro rata to all contributors, or, in the case of a partisan candidate, be transferred to a

1 caucus campaign committee, or to the state or county executive committee of the
2 political party of which the candidate is a member except that a candidate,
3 committee, or an official may retain the funds to further the same public issue or to
4 seek election to the same office or may donate the funds to any charitable,
5 nonprofit, or educational institution recognized under Section 501(c)(3) of the
6 United States Internal Revenue Code of 1986, as amended, and any successor
7 thereto.

8 ~~(10)~~~~(11)~~ (a) For the purposes of this subsection, "election cycle," as applied to
9 contributions, expenditures, or loans to support or oppose a candidate for a
10 particular office, means the period of time beginning January 1 following a
11 regular election for the office and ending December 31 following the next
12 regular election for that office.

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

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

25 ~~(11)~~~~(12)~~ Filers specified in subsection ~~(10)~~~~(11)~~ of this section shall also continue to
26 file required campaign finance reports in paper format until the registry deems it is
27 no longer necessary. The paper copy shall continue to be the official version for

1 audit and other legal purposes.

2 ~~(12)~~~~(13)~~ Filers not required to file reports electronically, as set forth in this section, are
3 strongly encouraged to do so voluntarily.

4 ~~(13)~~~~(14)~~ The date that an electronic or on-line report shall be deemed to have been filed
5 with the registry shall be the date on which it is received by the registry.

6 ~~(14)~~~~(15)~~ All electronic or online filers shall affirm, under penalty of perjury, that the
7 report filed with the registry is complete and accurate.

8 ~~(15)~~~~(16)~~ Filers who submit computer disks which are not readable, cannot be copied, or
9 are not accompanied by any requisite paper copy shall be deemed to not be in
10 compliance with the requirements set forth in this section.

11 ~~(16)~~~~(17)~~ No candidate is obligated to file any reports electronically, except for those
12 candidates, slates of candidates, and campaign committees that are required to
13 electronically report under KRS 121.120(6)(h).

14 ~~(17)~~~~(18)~~ (a) On each paper and electronic form that it supplies for the reports
15 required under subsections (2), (3), and (6) of this section, the registry shall
16 include an entry reading, "No change since last report."

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