

1 AN ACT relating to elections.

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

3 ➔Section 1. KRS 6.767 is amended to read as follows:

- 4 (1) For purposes of this section, "accept" means the date a contribution is postmarked,
5 if mailed, or the date of the hand delivery, if the contribution is hand-delivered.
- 6 (2) A member of the General Assembly, candidate for the General Assembly, or his or
7 her campaign committee shall not accept a campaign contribution from a legislative
8 agent. ***This subsection shall not apply to a campaign contribution made to a***
9 ***member of the General Assembly for the benefit of a campaign for an elected***
10 ***office other than Senator or Representative for which the member has filed the***
11 ***requisite documents and is officially recognized as a candidate.***

12 Violation of this provision is ethical misconduct.

- 13 (3) A member of the General Assembly, candidate for the General Assembly, or his or
14 her campaign committee shall not, during a regular session of the General
15 Assembly, accept a campaign contribution from an employer of a legislative agent,
16 or from a permanent committee as defined in KRS 121.015. This subsection shall
17 not apply to candidates for the General Assembly in a special election held during a
18 regular session of the General Assembly. ***This subsection shall not apply to a***
19 ***campaign contribution made to a member of the General Assembly for the***
20 ***benefit of a campaign for an elected office other than Senator or Representative***
21 ***for which the member has filed the requisite documents and is officially***
22 ***recognized as a candidate.***

23 Violation of this provision is ethical misconduct.

- 24 (4) It shall be a complete defense under this section if the legislator, candidate, or his or
25 her campaign committee receives a campaign contribution from a legislative agent
26 or, during a regular session, from an employer or from a permanent committee,
27 which fact is unknown to the legislator, candidate, or committee at the time of

1 receipt, if the legislator, candidate, or his or her campaign committee either returns
2 the contribution within thirty (30) days of receipt, and within fourteen (14)
3 additional days makes that fact, together with the name of the contributor, amount
4 of the contribution, and the date of return or payment known, in writing to the
5 commission. It shall also be a defense if a legislator, candidate, or his or her
6 campaign committee receives a campaign contribution from a legislative agent
7 whose name does not yet appear on the list of legislative agents and their employers
8 furnished to the Legislative Research Commission if the legislator, candidate, or his
9 or her campaign committee returns the campaign contribution within thirty (30)
10 days of the Legislative Research Commission's receipt of the list bearing the name
11 of the legislative agent and all employers and makes the written disclosure to the
12 commission required in this subsection. The time periods shall be tolled upon the
13 filing with the commission of a request for an advisory opinion regarding the
14 campaign contribution. Upon the issuance of the opinion or decision not to render
15 an opinion, the time period shall resume.

16 ➔Section 2. KRS 6.811 is amended to read as follows:

- 17 (1) A legislative agent or employer shall not knowingly fail to register, as required
18 under KRS 6.807.
- 19 (2) A legislative agent or employer shall not knowingly fail to keep a receipt or
20 maintain a record which KRS 6.821 requires the person to keep or maintain.
- 21 (3) A person shall not knowingly fail to file a statement that KRS 6.807, 6.821, or
22 6.824 requires the person to file.
- 23 (4) A legislative agent or employer shall not knowingly offer, give, or agree to give
24 anything of value to a legislator, a candidate, or the spouse or child of a legislator or
25 candidate.
- 26 (5) A legislative agent shall not serve as a campaign treasurer, and shall not directly
27 solicit, control, or deliver a campaign contribution, for a candidate or legislator.

1 *This subsection shall not apply to a campaign by a member of the General*
2 *Assembly for an elected office other than Senator or Representative for which the*
3 *member has filed the requisite documents and is officially recognized as a*
4 *candidate.*

5 (6) A legislative agent shall not make a campaign contribution to a legislator, a
6 candidate, or his or her campaign committee. *This subsection shall not apply to a*
7 *campaign contribution made to a member of the General Assembly for the*
8 *benefit of a campaign for an elected office other than Senator or Representative*
9 *for which the member has filed the requisite documents and is officially*
10 *recognized as a candidate.*

11 (7) During a regular session of the General Assembly, an employer of a legislative
12 agent shall not make a campaign contribution to a legislator, candidate, campaign
13 committee for a legislator or candidate, or caucus campaign committee. This
14 subsection shall not apply to *the following:*

15 *(a)* Candidates for the General Assembly in a special election held during a
16 regular session of the General Assembly; *or*

17 *(b)* *A campaign contribution made to a member of the General Assembly for*
18 *the benefit of a campaign for an elected office other than Senator or*
19 *Representative for which the member has filed the requisite documents and*
20 *is officially recognized as a candidate.*

21 (8) An employer shall not knowingly employ, appoint, or retain a serving legislator or
22 former legislator as a legislative agent until at least two (2) years have elapsed from
23 the date on which he or she vacated his or her office.

24 (9) No person shall engage any person to lobby in exchange for compensation that is
25 contingent in any way upon the passage, modification, or defeat of any legislation.
26 No person shall accept any engagement to lobby in exchange for compensation that
27 is contingent in any way upon the passage, modification, or defeat of any

- 1 legislation. Violation of this provision is a Class D felony.
- 2 (10) A legislative agent or other lobbyist shall not go upon the floor of either house of
- 3 the General Assembly while the house is in session, except upon invitation of that
- 4 house. Violation of this provision is a Class B misdemeanor.
- 5 (11) If any legislative agent or employer violates any provision in subsections (4) to (8)
- 6 of this section, he or she shall for the first violation be guilty of ethical misconduct.
- 7 For the second and each subsequent violation, he or she shall be guilty of a Class D
- 8 felony.