

1 AN ACT relating to campaign finance.

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

3 ➔Section 1. KRS 121.015 is amended to read as follows:

4 As used in this chapter:

5 (1) "Registry" means the Kentucky Registry of Election Finance;

6 (2) "Election" means any primary, regular, or special election to fill vacancies
7 regardless of whether a candidate or slate of candidates is opposed or unopposed in
8 an election. Each primary, regular, or special election shall be considered a separate
9 election;

10 (3) "Committee" includes the following:

11 (a) "Campaign committee," which means one (1) or more persons who receive
12 contributions and make expenditures to support or oppose one (1) or more
13 specific candidates or slates of candidates for nomination or election to any
14 state, county, city, or district office, but does not include an entity established
15 solely by a candidate which is managed solely by a candidate and a campaign
16 treasurer and whose name is generic in nature, such as "Friends of (the
17 candidate)," and does not reflect that other persons have structured themselves
18 as a committee, designated officers of the committee, and assigned
19 responsibilities and duties to each officer with the purpose of managing a
20 campaign to support or oppose a candidate in an election;

21 (b) "Caucus campaign committee," which means members of one (1) of the
22 following caucus groups who receive contributions and make expenditures to
23 support or oppose one (1) or more specific candidates or slates of candidates
24 for nomination or election, or a committee:

- 25 1. House Democratic caucus campaign committee;
- 26 2. House Republican caucus campaign committee;
- 27 3. Senate Democratic caucus campaign committee;

- 1 4. Senate Republican caucus campaign committee; or
- 2 5. Subdivisions of the state executive committee of a minor political party,
- 3 which serve the same function as the above-named committees, as
- 4 determined by regulations promulgated by the registry;
- 5 (c) "Political issues committee," which means three (3) or more persons joining
- 6 together to advocate or oppose a constitutional amendment or public question
- 7 which appears on the ballot if that committee receives or expends money in
- 8 excess of one thousand dollars (\$1,000);
- 9 (d) "Permanent committee," which means a group of individuals, including an
- 10 association, committee, or organization, other than a campaign committee,
- 11 political issues committee, inaugural committee, caucus campaign committee,
- 12 or party executive committee, which is established as, or intended to be, a
- 13 permanent organization having as a primary purpose expressly advocating the
- 14 election or defeat of one (1) or more clearly identified candidates, slates of
- 15 candidates, or political parties, which functions on a regular basis throughout
- 16 the year;
- 17 (e) An executive committee of a political party; and
- 18 (f) "Inaugural committee," which means one (1) or more persons who receive
- 19 contributions and make expenditures in support of inauguration activities for
- 20 any candidate or slate of candidates elected to any state, county, city, or
- 21 district office;
- 22 (4) "Contributing organization" means a group which merely contributes to candidates,
- 23 slates of candidates, campaign committees, caucus campaign committees, or
- 24 executive committees from time to time from funds derived solely from within the
- 25 group, and which does not solicit or receive funds from sources outside the group
- 26 itself. ~~However,~~ Any contributions made by the groups in excess of one hundred
- 27 dollars (\$100) shall be reported to the registry;

- 1 (5) "Testimonial affair" means an affair held in honor of a person who holds or who is
2 or was a candidate for nomination or election to a political office in this state
3 designed to raise funds for any purpose not charitable, religious, or educational;
- 4 (6) "Contribution" means any:
- 5 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,
6 to a candidate, his or her agent, a slate of candidates, its authorized agent, a
7 committee, or contributing organization. As used in this subsection, "loan"
8 shall include a guarantee, endorsement, or other form of security where the
9 risk of nonpayment rests with the surety, guarantor, or endorser, as well as
10 with a committee, contributing organization, candidate, slate of candidates, or
11 other primary obligor. No person shall become liable as surety, endorser, or
12 guarantor for any sum in any one (1) election which, when combined with all
13 other contributions the individual makes to a candidate, his or her agent, a
14 slate of candidates, its agent, a committee, or a contributing organization,
15 exceeds the contribution limits provided in KRS 121.150;
- 16 (b) Payment by any person other than the candidate, his or her authorized
17 treasurer, a slate of candidates, its authorized treasurer, a committee, or a
18 contributing organization, of compensation for the personal services of
19 another person which are rendered to a candidate, slate of candidates,
20 committee, or contributing organization, or for inauguration activities;
- 21 (c) Goods, advertising, or services with a value of more than one hundred dollars
22 (\$100) in the aggregate in any one (1) election which are furnished to a
23 candidate, slate of candidates, committee, or contributing organization or for
24 inauguration activities without charge, or at a rate which is less than the rate
25 normally charged for the goods or services; or
- 26 (d) Payment by any person other than a candidate, his or her authorized treasurer,
27 a slate of candidates, its authorized treasurer, a committee, or contributing

1 organization for any goods or services with a value of more than one hundred
2 dollars (\$100) in the aggregate in any one (1) election which are utilized by a
3 candidate, slate of candidates, committee, or contributing organization, or for
4 inauguration activities;

5 (7) Notwithstanding the foregoing meanings of "contribution," the word shall not be
6 construed to include:

7 (a) Services provided without compensation by individuals volunteering a portion
8 or all of their time on behalf of a candidate, a slate of candidates, committee,
9 or contributing organization;

10 (b) A loan of money by any financial institution doing business in Kentucky made
11 in accordance with applicable banking laws and regulations and in the
12 ordinary course of business; or

13 (c) An independent expenditure by any individual or permanent committee;

14 (8) "Candidate" means any person who has received contributions or made
15 expenditures, has appointed a campaign treasurer, or has given his or her consent
16 for any other person to receive contributions or make expenditures with a view to
17 bringing about his or her nomination or election to public office, except federal
18 office;

19 (9) "Slate of candidates" means:

20 (a) Between the time a certificate or petition of nomination has been filed for a
21 candidate for the office of Governor under KRS 118.365 and the time the
22 candidate designates a running mate for the office of Lieutenant Governor
23 under KRS 118.126, a slate of candidates consists of the candidate for the
24 office of Governor; and

25 (b) After that candidate has designated a running mate under KRS 118.126, that
26 same slate of candidates consists of that same candidate for the office of
27 Governor and the candidate's running mate for the office of Lieutenant

1 Governor. Unless the context requires otherwise, any provision of law that
2 applies to a candidate shall also apply to a slate of candidates;

3 (10) "Knowingly" means, with respect to conduct or to a circumstance described by a
4 statute defining an offense, that a person is aware or should have been aware that
5 his or her conduct is of that nature or that the circumstance exists;

6 (11) "Fundraiser" means an individual who directly solicits and secures contributions on
7 behalf of a candidate or slate of candidates for a statewide-elected state office or an
8 office in a jurisdiction with a population in excess of two hundred thousand
9 (200,000) residents;

10 (12) "Independent expenditure" means the expenditure of money or other things of value
11 for a communication which expressly advocates the election or defeat of a clearly
12 identified candidate or slate of candidates, and which is made without any
13 coordination, consultation, or cooperation with any candidate, slate of candidates,
14 campaign committee, or any authorized person acting on behalf of any of them, and
15 which is not made in concert with, or at the request or suggestion of any candidate,
16 slate of candidates, campaign committee, or any authorized person acting on behalf
17 of any of them;

18 (13) "Electronic reporting" means the use of technology, having electrical, digital,
19 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an
20 individual or other entity submits, compiles, or transmits campaign finance reports
21 to the registry, or by which the registry receives, stores, analyzes, or discloses the
22 reports;

23 (14) "Security procedure" means a procedure employed for the purpose of verifying that
24 an electronic signature, record, or performance is that of a specific person or for
25 detecting changes or errors in the information in an electronic record. The term
26 includes a procedure that requires the use of algorithms or other codes, identifying
27 words or numbers, encryption, or callback or other acknowledgment procedures;

1 (15) "Electronic signature" means an electronic sound, symbol, or process attached to or
 2 logically associated with a record and executed or adopted by a person with the
 3 intent to sign the record;

4 (16) "Filer" means any candidate, a slate of candidates, committee, or other individual or
 5 entity required to submit financial disclosure reports to the registry;~~and~~

6 (17) "Filer-side software" means software provided to or used by the filer that enables
 7 transmittal of financial reports to the registry; and

8 **(18) "Form" means an online Web page or an electronic document designed to**
 9 **capture, validate, and submit data for processing to the registry, unless context**
 10 **otherwise prescribes.**

11 ➔Section 2. KRS 121.160 is amended to read as follows:

12 (1) ~~[As part of the filing papers]~~Each candidate or slate of candidates shall, on a
 13 ~~duplicate~~ form prescribed and furnished by the registry, designate a campaign
 14 treasurer to act as their agent at the time~~and at the office with which~~ they file as a
 15 candidate or slate of candidates, and until this requirement is met, the candidate or
 16 slate of candidates shall be listed as their own treasurer and accountable as such.
 17 The candidate or slate of candidates may appoint themselves or any registered voter
 18 in Kentucky as the campaign treasurer. The office with which the candidate or slate
 19 of candidates is required to file shall immediately forward to the registry a~~the~~
 20 ~~duplicate~~ copy of the ~~completed form designating the candidate's or slate's~~
 21 ~~campaign treasurer and shall attach the original to the~~ candidate's or slate's filing
 22 papers. The office with which the candidate or slate of candidates files shall
 23 promptly notify the registry when a candidate withdraws.

24 (2) The duties of a campaign treasurer shall be to:

25 (a) Designate a depository bank in which the primary campaign account shall be
 26 maintained and deposit all contributions in that account;

27 (b) Keep detailed and exact accounts of:

- 1 1. Contributions of any amount made by a permanent committee, by name
2 and business address of the permanent committee, the date of the
3 contribution, the amount contributed, and a description of the major
4 business, social, or political interest represented by the permanent
5 committee;
- 6 2. Contributions in excess of one hundred dollars (\$100) made to a
7 candidate or slate of candidates for a statewide-elected state office, by
8 the date, name, address, occupation, and employer of each contributor
9 and the spouse of the contributor or, if the contributor or spouse of the
10 contributor is self-employed, the name under which he is doing business,
11 and the amount contributed by each contributor; and
- 12 3. Contributions in excess of one hundred dollars (\$100) made to any
13 candidate other than those specified in subparagraph 2., by name,
14 address, age if under legal voting age, date of the contribution, amount
15 of the contribution, and the employer and occupation of each other
16 contributor. If the contributor is self-employed, the name under which he
17 is doing business shall be listed. The occupation listed for the
18 contributor shall be specific. A general classification, such as
19 "businessman", shall be insufficient;
- 20 (c) Make or authorize all expenditures on behalf of a candidate or slate of
21 candidates. Any expenditure in excess of twenty-five dollars (\$25) shall be by
22 check and the treasurer's records shall disclose the name, address, and
23 occupation of every person or firm to whom made, and shall list the date and
24 amount of the expenditure and the treasurer shall keep a receipted bill for
25 each;
- 26 (d) Maintain all receipted bills and accounts required by this section for a period
27 of six (6) years from the date he files his last report under KRS

1 121.180(3)(b)1.; and

2 (e) Make no payment to any person not directly providing goods or services with
3 the intent to conceal payment to another.

4 (3) A candidate or slate of candidates may remove a campaign treasurer at any time.

5 (4) In case of the death, resignation, or removal of a campaign treasurer, the candidate
6 or slate of candidates shall within three (3) days after receiving notice thereof by
7 certified mail, appoint a successor and shall file his name and address with the
8 registry. The candidate, or slate shall be accountable as their own campaign
9 treasurer if they fail to meet this filing requirement.

10 (5) A person may serve as campaign treasurer for more than one (1) candidate or slate
11 of candidates, but all reports shall be made separately for each individual candidate
12 or slate.

13 (6) The candidate or slate of candidates may pay a campaign treasurer a salary for his
14 services which shall be considered a campaign expense and shall comply with the
15 reporting provisions of KRS 121.180 and administrative regulations promulgated by
16 the registry.

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

18 (1) (a) 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 files a form prescribed and furnished by the registry stating
22 that currently no contributions have been received and that contributions will
23 not be accepted or expended in excess of three thousand dollars (\$3,000) in
24 any one (1) election. A separate form shall be required for each primary,
25 regular, or special election in which the candidate or slate of candidates
26 participates or in which the public question appears on the ballot, ~~unless the~~
27 ~~candidate, slate of candidates, or political issues committee chair indicates on~~

1 ~~a request for exemption that the request will be applicable to more than one~~
2 ~~(1) election. The form shall be filed with the same office with which a~~
3 ~~candidate or slate of candidates files nomination papers or, in the case of a~~
4 ~~political issues committee, with the registry].~~ **The form shall be submitted by**
5 **means of electronic filing with the registry.**

6 (b) For a primary, a candidate or slate of candidates shall file a request for
7 exemption not later than the deadline for filing nomination papers and, except
8 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be
9 bound by its terms unless it is rescinded in writing not later than thirty (30)
10 days preceding the primary. For a regular election, a candidate or slate of
11 candidates shall file or rescind in writing a request for exemption not later
12 than sixty (60) days preceding the regular election, except as provided in
13 subparagraph 2. of paragraph (c) of this subsection. For a special election, a
14 candidate or slate of candidates shall file a request for exemption not later
15 than ten (10) days after the candidate or slate of candidates is nominated for a
16 special election and shall be bound by its terms unless it is rescinded in
17 writing not later than thirty (30) days preceding the special election. A
18 political issues committee chair shall file a request for exemption when the
19 committee registers with the registry and shall be bound by its terms unless it
20 is rescinded in writing not later than thirty (30) days preceding the date the
21 issue appears on the ballot.

22 (c) 1. A candidate or slate of candidates that revokes a request for exemption
23 in a timely manner shall file all reports required of a candidate intending
24 to raise or spend in excess of three thousand dollars (\$3,000) in an
25 election. To revoke the request for an exemption, the candidate or slate
26 of candidates shall file the appropriate form with the registry not later
27 than the deadline for filing a revocation.

- 1 2. A candidate or slate of candidates that is exempted from campaign
2 finance reporting requirements pursuant to paragraph (a) of this
3 subsection but who accepts contributions or makes expenditures in
4 excess of the exempted amount in an election, shall file all applicable
5 reports required for the remainder of that election, based upon the
6 amount of contributions or expenditures the candidate or slate of
7 candidates accepts or receives in that election. ~~[The filing of applicable
8 required reports by a candidate or slate of candidates after the exempted
9 amount is exceeded shall serve as notice to the registry that the initial
10 exemption has been rescinded. No further notice to the registry shall be
11 required and no penalty for exceeding the initial exempted amount shall
12 be imposed against the candidate or slate of candidates, except for
13 failure to file applicable reports required after the exempted amount is
14 exceeded.]~~
- 15 (d) Any candidate or slate of candidates that is subject to a June or August filing
16 deadline and that intends to execute a request for exemption shall file the
17 appropriate request for exemption not later than the filing deadline and, except
18 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be
19 bound by its terms unless it is rescinded in writing not later than sixty (60)
20 days preceding the regular election. A candidate or slate of candidates that is
21 covered by this paragraph shall have the same reversion rights as those
22 provided in subparagraph 1. of paragraph (c) of this subsection.
- 23 (e) Any candidate or slate of candidates that will appear on the ballot in a regular
24 election that has signed a request for exemption for that election may exercise
25 the reversion rights provided in subparagraph 1. of paragraph (c) of this
26 subsection if a candidate or slate of candidates that is subject to a June or
27 August filing deadline subsequently files in opposition to the candidate or

1 slate of candidates. Except as provided in subparagraph 2. of paragraph (c) of
2 this subsection, a candidate or slate of candidates covered by this paragraph
3 shall comply with the deadline for rescission provided in subparagraph 1. of
4 paragraph (c) of this subsection.

5 (f) Except as provided in subparagraph 2. of paragraph (c) of this subsection, any
6 candidate or slate of candidates that has filed a request for exemption for a
7 regular election that later is opposed by a person who has filed a declaration of
8 intent to receive write-in votes may rescind the request for exemption and
9 exercise the reversion rights provided in subparagraph 1. of paragraph (c) of
10 this subsection.

11 (g) Any candidate or slate of candidates that has filed a request for exemption
12 may petition the registry to determine whether another person is campaigning
13 as a write-in candidate prior to having filed a declaration of intent to receive
14 write-in votes, and, if the registry determines upon a preponderance of the
15 evidence that a person who may later be a write-in candidate is conducting a
16 campaign, the candidate or slate of candidates, except as provided in
17 subparagraph 2. of paragraph (c) of this subsection, may petition the registry
18 to permit the candidate or slate of candidates to exercise the reversion rights
19 provided in subparagraph 1. of paragraph (c) of this subsection.

20 (h) If the opponent of a candidate or slate of candidates is replaced due to his or
21 her withdrawal because of death, disability, or disqualification, the candidate
22 or slate of candidates, except as provided in subparagraph 2. of paragraph (c)
23 of this subsection, may exercise the reversion rights provided in subparagraph
24 1. of paragraph (c) of this subsection not later than fifteen (15) days after the
25 party executive committee nominates a replacement for the withdrawn
26 candidate or slate of candidates.

27 (i) A person intending to be a write-in candidate for any office in a regular or

1 special election may execute a request for exemption under paragraph (a) of
2 this subsection and shall be bound by its terms unless it is rescinded in writing
3 not later than fifteen (15) days preceding the regular or special election. A
4 person intending to be a write-in candidate who revokes a request for
5 exemption in a timely manner shall file all reports required of a candidate
6 intending to raise or spend in excess of three thousand dollars (\$3,000) in an
7 election. Except as provided in subparagraph 2. of paragraph (c) of this
8 subsection, a person intending to be a write-in candidate who revokes a
9 request for exemption shall file the appropriate form with the registry.

10 (j) Except as provided in subparagraph 2. of paragraph (c) of this subsection, the
11 campaign committee of any candidate or slate of candidates that has filed a
12 request for exemption or a political issues committee whose chair has filed a
13 request for exemption shall be bound by its terms unless it is rescinded in a
14 timely manner.

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

25 2. Except as provided in subparagraph 2. of paragraph (c) of this
26 subsection, a candidate, slate of candidates, campaign committee, or
27 political issues committee that is exempt from filing campaign finance

1 reports pursuant to paragraph (a), (d), or (i) of this subsection that
 2 knowingly accepts contributions or makes expenditures in excess of the
 3 applicable spending limit in any one (1) election without rescinding the
 4 request for exemption in a timely manner shall comply with all
 5 applicable reporting requirements and shall be guilty of a Class D
 6 felony.

7 **(l) 1. Any candidate exempt from filing under this subsection for a primary**
 8 **shall file a report described in subsection (4) of this section.**

9 **2. Any candidate exempt from filing under this subsection for a primary**
 10 **who advances to the regular election shall file for an additional**
 11 **exemption under this section for the regular election or the candidate**
 12 **shall no longer be exempt from the filing requirements.**

13 **3. In the event a candidate exempt from filing under this subsection is no**
 14 **longer eligible for the exemption, he or she shall immediately file for a**
 15 **revocation of the exemption under paragraph (c) of this subsection.**

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

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

25 2. For other contributions in excess of one hundred dollars (\$100), the full
 26 name, address, age if less than the legal voting age, the date of the
 27 contribution, the amount of the contribution, and the employer and

1 occupation of each contributor. If the contributor is self-employed, the
2 name under which he or she is doing business shall be listed;

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

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

10 (b) In addition to the reporting requirements in paragraph (a) of this subsection,
11 the state executive committee of a political party that has established a
12 building fund account under KRS 121.172 shall make a full report, upon a
13 prescribed form, to the registry, of all contributions received from any source,
14 and expenditures authorized, incurred, or made, since the date of the last
15 report for the separate building fund account, including:

16 1. For each contribution of any amount made by a corporation, the name
17 and business address of the corporation, the date of the contribution, the
18 amount contributed, and a description of the major business conducted
19 by the corporation;

20 2. For other contributions in excess of one hundred dollars (\$100), the full
21 name and address of the contributor, the date of the contribution, the
22 amount of the contribution, and the employer and occupation of each
23 contributor. If the contributor is self-employed, the name under which he
24 or she is doing business shall be listed;

25 3. The total amount of cash contributions received during the reporting
26 period; and

27 4. A complete statement of expenditures authorized, incurred, or made.

1 The complete statement of expenditures shall include the name and
2 address of each person to whom an expenditure is made in excess of
3 twenty-five dollars (\$25), and the amount, date, and purpose of each
4 expenditure.

5 (c) The report required by paragraph (a) of this subsection shall be made on a
6 semiannual basis and shall be received by the registry by January 31 and by
7 July 31. The January report shall cover the period from July 1 to December
8 31. The July report shall cover the period from January 1 to June 30. If an
9 individual gives a reportable contribution to a caucus campaign committee or
10 to a state or county executive committee with the intention that the
11 contribution or a portion of the contribution go to a candidate or slate of
12 candidates, the name of the contributor and the sum shall be indicated on the
13 committee report. The report required by paragraph (b) of this subsection
14 relating to a state executive committee's building fund account shall be
15 received by the registry within two (2) business days after the close of each
16 calendar quarter. The receipts and expenditures of funds remitted to each
17 political party under KRS 141.071 to 141.073 shall be separately accounted
18 for and reported to the registry in the manner required by KRS 121.230. The
19 separate report may be made a separate section within the report required by
20 this subsection to be received by the registry by January 31.

21 (3) (a) Except for candidates or slates of candidates, campaign committees, or
22 political issues committees exempted from reporting requirements pursuant to
23 subsection (1) of this section, each campaign treasurer of a candidate, slate of
24 candidates, campaign committee, or political issues committee who accepts
25 contributions or expends, expects to accept contributions or expend, or
26 contracts to expend more than three thousand dollars (\$3,000) in any one (1)
27 election, and each fundraiser who secures contributions in excess of three

1 thousand dollars (\$3,000) in any one (1) election, shall make a full report to
2 the registry, on a form provided or using a format approved by the registry, of
3 all money, loans, or other things of value, received from any source, and
4 expenditures authorized, incurred, and made, since the date of the last report,
5 including:

- 6 1. For each contribution of any amount made by a permanent committee,
7 the name and business address of the permanent committee, the date of
8 the contribution, the amount contributed, and a description of the major
9 business, social, or political interest represented by the permanent
10 committee;
- 11 2. For each contribution in excess of one hundred dollars (\$100) made to a
12 candidate or slate of candidates for a statewide-elected state office, or to
13 a campaign committee for a candidate or slate of candidates for a
14 statewide-elected state office, the date, name, address, occupation, and
15 employer of each contributor and the spouse of the contributor or, if the
16 contributor or spouse of the contributor is self-employed, the name
17 under which he or she is doing business, and the amount contributed by
18 each contributor;
- 19 3. For each contribution in excess of one hundred dollars (\$100) made to
20 any candidate or campaign committee other than those specified in
21 subparagraph 2. of this paragraph or a political issues committee, the full
22 name, address, age if less than the legal voting age, the date of the
23 contribution, the amount of the contribution, and the employer and
24 occupation of each other contributor. If the contributor is self-employed,
25 the name under which he or she is doing business shall be listed;
- 26 4. The total amount of cash contributions received during the reporting
27 period; and

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

6 (b) Reports of all candidates, slates of candidates, campaign committees, political
7 issues committees, and registered fundraisers shall be made as follows:

8 1. **a.** ~~{Candidates as defined in KRS 121.015(8), slates of~~
9 ~~candidates, Candidate authorized and }Unauthorized~~ campaign
10 committees, political issues committees, and fundraisers which
11 register~~{ in the year}~~ before the year an election in which **a**~~{the}~~
12 candidate **of interest**, a slate of candidates **of interest**, or public
13 question shall appear on the ballot, shall file financial reports with
14 the registry at the end of the first calendar quarter~~{ after persons~~
15 ~~become candidates or slates of candidates, or}~~ following
16 registration of the committee or fundraiser, and each calendar
17 quarter thereafter, ending with the last calendar quarter of that
18 year.~~{ Candidates, slates of candidates,} Committees{,}~~ and
19 registered fundraisers shall make all reports required by this
20 section during the year in which the election takes place;

21 **b.** *Each year that a candidate or slate of candidates is not yet*
22 *on the ballot but has filed their Statement of Spending Intent*
23 *and Appointment of Campaign Treasurer with the Registry for a*
24 *future year election, the candidate, slate of candidates, and*
25 *candidate-authorized campaign committee shall file annual*
26 *campaign finance reports to be received by the registry on or*
27 *before December 1. The candidate, slate of candidates, and*

1 *candidate authorized campaign committee shall make all reports*
2 *required by this section during the year in which the election*
3 *takes place;*

- 4 2. All candidates, slates of candidates, candidate-authorized and
5 unauthorized campaign committees, political issues committees, and
6 registered fundraisers shall make reports on the sixtieth day preceding a
7 regular election, including all previous contributions and expenditures;
- 8 3. All candidates, slates of candidates, candidate-authorized and
9 unauthorized campaign committees, political issues committees, and
10 registered fundraisers shall make reports on the thirtieth day preceding
11 an election, including all previous contributions and expenditures;
- 12 4. All candidates, slates of candidates, candidate-authorized and
13 unauthorized campaign committees, political issues committees, and
14 registered fundraisers shall make reports on the fifteenth day preceding
15 the date of the election; and
- 16 5. All reports to the registry shall cover campaign activity during the entire
17 reporting period and must be received by the registry within two (2)
18 business days after the date the reporting period ends to be deemed
19 timely filed.

20 (4) ~~[Except for candidates, slates of candidates, and political issues committees,~~
21 ~~exempted pursuant to subsection (1)(a) of this section,]~~All candidates, regardless of
22 funds received or expended, candidate-authorized and unauthorized campaign
23 committees, political issues committees, and registered fundraisers shall make post-
24 election reports within thirty (30) days after the election. All post-election reports to
25 the registry shall cover campaign activity during the entire reporting period and
26 must be received by the registry within two (2) business days after the date the
27 reporting period ends to be deemed timely filed. *For candidates, slates of*

1 *candidates, and political issues committees otherwise exempt under subsection*
2 *(1)(a) of this section, the reporting period begins the day the request for*
3 *exemption is filed with the registry and continues through the thirtieth (30th) day*
4 *after the election.*

5 (5) In making the preceding reports, the total gross receipts from each of the following
6 categories shall be listed: proceeds from the sale of tickets for events such as
7 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass
8 collections made at the events, and sales of items such as campaign pins, buttons,
9 hats, ties, literature, and similar materials. When any individual purchase or the
10 aggregate purchases of any item enumerated above from a candidate or slate of
11 candidates for a statewide-elected state office or a campaign committee for a
12 candidate or slate of candidates for a statewide-elected state office exceeds one
13 hundred dollars (\$100), the purchaser shall be identified by name, address, age, if
14 less than the legal voting age, occupation, and employer and the employer of the
15 spouse of the purchaser or, if the purchaser or the spouse of the purchaser is self-
16 employed, the name under which he or she is doing business, and the amount of the
17 purchase. When any individual purchase or the aggregate purchases of any item
18 enumerated above from any candidate or campaign committee other than a
19 candidate or slate of candidates for a statewide-elected state office or campaign
20 committee for a candidate or slate of candidates for a statewide-elected state office
21 exceeds one hundred dollars (\$100), the purchaser shall be identified by name,
22 address, age if less than the legal voting age, occupation, and employer, or if the
23 purchaser is self-employed, the name under which he or she is doing business, and
24 the amount of the purchase. The lists shall be maintained by the campaign treasurer,
25 political issues committee treasurer, registered fundraiser, or other sponsor for
26 inspection by the registry for six (6) years following the date of the election.

27 (6) Each permanent committee, except a federally registered permanent committee,

1 inaugural committee, or contributing organization shall make a full report to the
2 registry, on a form provided or using a format approved by the registry, of all
3 money, loans, or other things of value, received by it from any source, and all
4 expenditures authorized, incurred, or made, since the date of the last report,
5 including:

6 (a) For each contribution of any amount made by a permanent committee, the
7 name and business address of the permanent committee, the date of the
8 contribution, the amount contributed, and a description of the major business,
9 social, or political interest represented by the permanent committee;

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

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

17 (d) A complete statement of all expenditures authorized, incurred, or made,
18 including independent expenditures. This report shall be made by a permanent
19 committee, inaugural committee, or contributing organization to the registry
20 on the last day of the first calendar quarter following the registration of the
21 committee with the registry and on the last day of each succeeding calendar
22 quarter until such time as the committee terminates. A contributing
23 organization shall file a report of contributions received and expenditures on a
24 form provided or using a format approved by the registry not later than the last
25 day of each calendar quarter in which contributions are received or
26 expenditures are made. All reports to the registry shall be received on or
27 before each filing deadline, and any report received by the registry within two

1 (2) business days after each filing deadline shall be deemed timely filed.

2 (7) If the final statement of a candidate, campaign committee, or political issues
3 committee shows an unexpended balance of contributions, continuing debts and
4 obligations, or an expenditure deficit, the campaign treasurer shall file with the
5 registry a supplemental statement of contributions and expenditures not more than
6 thirty (30) days after the deadline for filing the final statement. Subsequent
7 supplemental statements shall be filed annually, to be received by the registry by
8 December 1 of each year, until the account shows no unexpended balance,
9 continuing debts and obligations, expenditures, or deficit~~, or until the year before~~
10 ~~the candidate or a slate of candidates seeks to appear on the ballot for the same~~
11 ~~office for which the funds in the campaign account were originally contributed, in~~
12 ~~which case the candidate or a slate of candidates shall file the supplemental annual~~
13 ~~report by December 1 of that year or at the end of the first calendar quarter of that~~
14 ~~year after the candidate or slate of candidates files nomination papers for the next~~
15 ~~year's primary or regular election]. All post-election reports to the registry shall~~
16 cover campaign activity during the entire reporting period and must be received by
17 the registry within two (2) business days after the date the reporting period ends to
18 be deemed timely filed. All contributions shall be subject to KRS 121.150 as of the
19 date of the election in which the candidate appeared on the ballot.

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

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

26 (a) Within five (5) business days after personally receiving any contributions, the
27 candidate or slate of candidates shall surrender possession of the contributions

1 to the treasurer of their principal campaign committee without expending any
 2 of the proceeds thereof. No contributions shall be commingled with the
 3 candidate's or slated candidates' personal funds or accounts. Contributions
 4 received by check, money order, or other written instrument shall be endorsed
 5 directly to the campaign committee and shall not be cashed or redeemed by
 6 the candidate;

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

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

14 (10) (a) No candidate, slate of candidates, campaign committee, political issues
 15 committee, or contributing organization shall use or permit the use of
 16 contributions or funds solicited or received for the person or in support of or
 17 opposition to a public issue which will appear on the ballot to:

18 1. Further the candidacy of the person for a different public office;~~[-, to]~~

19 2. Support or oppose a different public issue;~~[-,] or [- to]~~

20 3. Further the candidacy of any other person for public office;~~[-, except that]~~

21 (b) Nothing in this subsection shall be deemed to prohibit a candidate or slate of
 22 candidates from using funds in a~~the~~ campaign account to purchase
 23 admission tickets for any fundraising event or testimonial affair for another
 24 candidate or slate of candidates if the amount of the purchase does not exceed
 25 two hundred dollars (\$200) per event or affair.

26 (c) Any funds or contributions solicited or received by or on behalf of a
 27 candidate, slate of candidates, or any committee, which has been organized in

1 whole or in part to further any candidacy for the same person or to support or
 2 oppose the same public issue, shall be deemed to have been solicited or
 3 received for the current candidacy or for the election on the public issue if the
 4 funds or contributions are solicited or received at any time prior to the regular
 5 election for which the candidate, slate of candidates, or public issue is on the
 6 ballot.

7 **(d)** Any unexpended balance of funds not otherwise obligated for the payment of
 8 expenses incurred to further a political issue or the candidacy of a person
 9 shall, in whole or in part, at the election of the candidate or committee:~~;~~

10 **1.** Escheat to the State Treasury;~~;~~

11 **2.** Be returned pro rata to all contributors;~~;~~ ~~or;~~

12 **3.** In the case of a partisan candidate, be transferred to:

13 **a.** A caucus campaign committee;~~;~~ or ~~to~~

14 **b.** The state or county executive committee of the political party of
 15 which the candidate is a member;~~;~~ ~~except that a candidate,~~
 16 ~~committee, or an official may~~

17 **4. Be retained**~~[retain the funds]~~ to further the same public issue or to seek
 18 election to the same office; or

19 **5. Be donated**~~[may donate the funds]~~ to any charitable, nonprofit, or
 20 educational institution recognized under Section 501(c)(3) of the United
 21 States Internal Revenue Code of 1986, as amended, and any successor
 22 thereto.

23 (11) If adequate and appropriate agency funds are available to implement this subsection,
 24 electronic reporting shall be made available by the registry to all candidates, slates
 25 of candidates, committees, contributing organizations, registered fundraisers, and
 26 persons making independent expenditures. The electronic report submitted to the
 27 registry shall be the official campaign finance report for audit and other legal

1 purposes, whether mandated or filed by choice.

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

4 ~~(13)~~ 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 ~~(13)~~(13) All electronic or online filers shall affirm, under penalty of perjury, that the
7 report filed with the registry is complete and accurate.

8 ~~(14)~~(14) Filers who submit electronic campaign finance reports which are not readable,
9 or cannot be copied, ~~or are not accompanied by any requisite paper copy~~ shall be
10 deemed to not be in compliance with the requirements set forth in this section.

11 ~~(15)~~(15) Beginning with the primary scheduled in calendar year 2020, and for each
12 subsequent election scheduled thereafter, reports required to be submitted to the
13 registry involving candidates, slates of candidates, committees, contributing
14 organizations, and independent expenditures shall be reported electronically.

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

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