

1 AN ACT relating to elections and declaring an emergency.

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

3 ➔Section 1. KRS 13B.020 (Effective July 1, 2024) is amended to read as follows:

4 (1) The provisions of this chapter shall apply to all administrative hearings conducted  
5 by an agency, with the exception of those specifically exempted under this section.  
6 The provisions of this chapter shall supersede any other provisions of the Kentucky  
7 Revised Statutes and administrative regulations, unless exempted under this section,  
8 to the extent these other provisions are duplicative or in conflict. This chapter  
9 creates only procedural rights and shall not be construed to confer upon any person  
10 a right to hearing not expressly provided by law.

11 (2) The provisions of this chapter shall not apply to:

- 12 (a) Investigations, hearings to determine probable cause, or any other type of  
13 information gathering or fact finding activities;
- 14 (b) Public hearings required in KRS Chapter 13A for the promulgation of  
15 administrative regulations;
- 16 (c) Any other public hearing conducted by an administrative agency which is  
17 nonadjudicatory in nature and the primary purpose of which is to seek public  
18 input on public policy making;
- 19 (d) Military adjudicatory proceedings conducted in accordance with KRS Chapter  
20 35;
- 21 (e) Administrative hearings conducted by the legislative and judicial branches of  
22 state government;
- 23 (f) Administrative hearings conducted by any city, county, urban-county, charter  
24 county, or special district contained in KRS Chapters 65 to 109, or any other  
25 unit of local government operating strictly in a local jurisdictional capacity;
- 26 (g) Informal hearings which are part of a multilevel hearing process that affords  
27 an administrative hearing at some point in the hearing process if the

- 1 procedures for informal hearings are approved and promulgated in accordance  
2 with subsections (4) and (5) of this section;
- 3 (h) Limited exemptions granted for specific hearing provisions and denoted by  
4 reference in the text of the applicable statutes or administrative regulations;
- 5 (i) Administrative hearings exempted pursuant to subsection (3) of this section;
- 6 (j) Administrative hearings exempted, in whole or in part, pursuant to  
7 subsections (4) and (5) of this section; and
- 8 (k) Any administrative hearing which was commenced but not completed prior to  
9 July 15, 1996.
- 10 (3) The following administrative hearings are exempt from application of this chapter  
11 in compliance with 1994 Ky. Acts ch. 382, sec. 19:
- 12 (a) Finance and Administration Cabinet
- 13 1. Higher Education Assistance Authority
- 14 a. Wage garnishment hearings conducted under authority of 20  
15 U.S.C. sec. 1095a and 34 C.F.R. sec. 682.410
- 16 b. Offset hearings conducted under authority of 31 U.S.C. sec.  
17 3720A and sec. 3716, and 34 C.F.R. sec. 30.33
- 18 2. Department of Revenue
- 19 a. Any licensing and bond revocation hearings conducted under the  
20 authority of KRS 138.210 to 138.448 and 234.310 to 234.440
- 21 b. Any license revocation hearings under KRS 131.630 and 138.130  
22 to 138.205
- 23 (b) Cabinet for Health and Family Services
- 24 1. Office of the Inspector General
- 25 a. Certificate-of-need hearings and licensure conducted under  
26 authority of KRS Chapter 216B
- 27 b. Licensure revocation hearings conducted under authority of KRS

- 1 Chapter 216B
- 2 2. Department for Community Based Services
- 3 a. Supervised placement revocation hearings conducted under
- 4 authority of KRS Chapter 630
- 5 3. Department for Medicaid Services
- 6 a. Administrative appeal hearings following an external independent
- 7 third-party review of a Medicaid managed care organization's final
- 8 decision that denies, in whole or in part, a health care service to an
- 9 enrollee or a claim for reimbursement to the provider for a health
- 10 care service rendered by the provider to an enrollee of the
- 11 Medicaid managed care organization, conducted under authority of
- 12 KRS 205.646
- 13 (c) Justice and Public Safety Cabinet
- 14 1. Department of Kentucky State Police
- 15 a. Kentucky State Police Trial Board disciplinary hearings conducted
- 16 under authority of KRS Chapter 16
- 17 2. Department of Corrections
- 18 a. Parole Board hearings conducted under authority of KRS Chapter
- 19 439
- 20 b. Prison adjustment committee hearings conducted under authority
- 21 of KRS Chapter 197
- 22 c. Prison grievance committee hearings conducted under authority of
- 23 KRS Chapters 196 and 197
- 24 3. Department of Juvenile Justice
- 25 a. Supervised placement revocation hearings conducted under KRS
- 26 Chapter 635
- 27 (d) Energy and Environment Cabinet

- 1           1. Department for Natural Resources
- 2           a. Surface mining hearings conducted under authority of KRS
- 3           Chapter 350
- 4           b. Oil and gas hearings conducted under the authority of KRS
- 5           Chapter 353, except for those conducted by the Kentucky Oil and
- 6           Gas Conservation Commission pursuant to KRS 353.500 to
- 7           353.720
- 8           c. Explosives and blasting hearings conducted under the authority of
- 9           KRS 351.315 to 351.375
- 10          2. Department for Environmental Protection
- 11          a. Wild River hearings conducted under authority of KRS Chapter
- 12          146
- 13          b. Water resources hearings conducted under authority of KRS
- 14          Chapter 151
- 15          c. Water plant operator and water well driller hearings conducted
- 16          under authority of KRS Chapter 223
- 17          d. Environmental protection hearings conducted under authority of
- 18          KRS Chapter 224
- 19          e. Petroleum Storage Tank Environmental Assurance Fund hearings
- 20          under authority of KRS Chapter 224
- 21          3. Public Service Commission
- 22          a. Utility hearings conducted under authority of KRS Chapters 74,
- 23          278, and 279
- 24          (e) Education and Labor Cabinet
- 25            1. Department of Workers' Claims
- 26            a. Workers' compensation hearings conducted under authority of
- 27            KRS Chapter 342

- 1           2.    Kentucky Occupational Safety and Health Review Commission
- 2           a.    Occupational safety and health hearings conducted under authority
- 3                 of KRS Chapter 338
- 4           3.    Unemployment insurance hearings conducted under authority of KRS
- 5                 Chapter 341
- 6           4.    Disability determination hearings conducted under authority of 20
- 7                 C.F.R. pt. 404
- 8       (f)   Public Protection Cabinet
- 9           1.    Board of Claims
- 10          a.    Liability hearings conducted under authority of KRS 49.020(5)
- 11                 and 49.040 to 49.180
- 12       (g)   ~~Secretary of State~~
- 13       ~~1.    Registry of Election Finance~~
- 14       ~~a.    Campaign finance hearings conducted under authority of KRS Chapter 121~~
- 15       (h)   ~~State universities and colleges~~
- 16          1.    Student suspension and expulsion hearings conducted under authority of
- 17                 KRS Chapter 164
- 18          2.    University presidents and faculty removal hearings conducted under
- 19                 authority of KRS Chapter 164
- 20          3.    Campus residency hearings conducted under authority of KRS Chapter
- 21                 164
- 22          4.    Family Education Rights to Privacy Act hearings conducted under
- 23                 authority of 20 U.S.C. sec. 1232 and 34 C.F.R. sec. 99
- 24          5.    Federal Health Care Quality Improvement Act of 1986 hearings
- 25                 conducted under authority of 42 U.S.C. sec. 11101 to 11115 and KRS
- 26                 Chapter 311.
- 27       (4)   Any administrative hearing, or portion thereof, may be certified as exempt by the

1 Attorney General based on the following criteria:

- 2 (a) The provisions of this chapter conflict with any provision of federal law or  
3 regulation with which the agency must comply, or with any federal law or  
4 regulation with which the agency must comply to permit the agency or  
5 persons within the Commonwealth to receive federal tax benefits or federal  
6 funds or other benefits;
- 7 (b) Conformity with the requirement of this chapter from which exemption is  
8 sought would be so unreasonable or so impractical as to deny due process  
9 because of undue delay in the conduct of administrative hearings; or
- 10 (c) The hearing procedures represent informal proceedings which are the  
11 preliminary stages or the review stages of a multilevel hearing process, if the  
12 provisions of this chapter or the provisions of a substantially equivalent  
13 hearing procedure exempted under subsection (3) of this section are applied at  
14 some level within the multilevel process.
- 15 (5) The Attorney General shall not exempt an agency from any requirement of this  
16 chapter until the agency establishes alternative procedures by administrative  
17 regulation which, insofar as practical, shall be consistent with the intent and  
18 purpose of this chapter. When regulations for alternative procedures are submitted  
19 to the Administrative Regulation Review Subcommittee, they shall be accompanied  
20 by the request for exemption and the approval of exemption from the Attorney  
21 General. The decision of the Attorney General, whether affirmative or negative,  
22 shall be subject to judicial review in the Franklin Circuit Court within thirty (30)  
23 days of the date of issuance. The court shall not overturn a decision of the Attorney  
24 General unless the decision was arbitrary or capricious or contrary to law.
- 25 (6) Except to the extent precluded by another provision of law, a person may waive any  
26 procedural right conferred upon that person by this chapter.
- 27 (7) The provisions of KRS 13B.030(2)(b) shall not apply to administrative hearings

1 held under KRS 11A.100 or 18A.095.

2 ➔Section 2. KRS 121.015 is amended to read as follows:

3 As used in this chapter:

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

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

9 (3) "Committee" includes the following:

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

23 (b) "Independent expenditure-only committee," which means one (1) or more  
24 persons who receive unlimited contributions for the purpose of making only  
25 independent expenditures to support or oppose one (1) or more specific  
26 candidates or slates of candidates for nomination or election to any state,  
27 county, city, or district office;

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

- 5            1. House Democratic caucus campaign committee;
- 6            2. House Republican caucus campaign committee;
- 7            3. Senate Democratic caucus campaign committee;
- 8            4. Senate Republican caucus campaign committee; or
- 9            5. Subdivisions of the state executive committee of a minor political party,  
10           which serve the same function as the above-named committees, as  
11           determined by regulations promulgated by the registry;

12        ~~(d)~~~~(e)~~ "Political issues committee," which means three (3) or more persons  
13        joining together to advocate or oppose a constitutional amendment or public  
14        question which appears on the ballot if that committee receives or expends  
15        money in excess of one thousand dollars (\$1,000);

16        ~~(e)~~~~(d)~~ "Permanent committee," which means a group of individuals, including  
17        an association, committee, or organization, other than a campaign committee,  
18        *independent expenditure-only committee, federally registered political*  
19        *committee*, political issues committee, inaugural committee, caucus campaign  
20        committee, or party executive committee, which is established as, or intended  
21        to be, a permanent organization having as a primary purpose expressly  
22        advocating the election or defeat of one (1) or more clearly identified  
23        candidates, slates of candidates, or political parties, which functions on a  
24        regular basis throughout the year;

25        ~~(f)~~~~(e)~~ An executive committee of a political party; and

26        (g)~~(f)~~ "Inaugural committee," which means one (1) or more persons who  
27        receive contributions and make expenditures in support of inauguration



1 activities for any candidate or slate of candidates elected to any state, county,  
2 city, or district office;

3 (4) "Contributing organization" means a group which merely contributes to candidates,  
4 slates of candidates, campaign committees, caucus campaign committees, or  
5 executive committees from time to time from funds derived solely from within the  
6 group, and which does not solicit or receive funds from sources outside the group  
7 itself. Any contributions made by the groups in excess of one hundred dollars  
8 (\$100) shall be reported to the registry;

9 (5) "Testimonial affair" means an affair held in honor of a person who holds or who is  
10 or was a candidate for nomination or election to a political office in this state  
11 designed to raise funds for any purpose not charitable, religious, or educational;

12 (6) "Contribution" means any:

13 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,  
14 to a candidate, his or her agent, a slate of candidates, its authorized agent, a  
15 committee, or contributing organization. As used in this subsection, "loan"  
16 shall include a guarantee, endorsement, or other form of security where the  
17 risk of nonpayment rests with the surety, guarantor, or endorser, as well as  
18 with a committee, contributing organization, candidate, slate of candidates, or  
19 other primary obligor. No person shall become liable as surety, endorser, or  
20 guarantor for any sum in any one (1) election which, when combined with all  
21 other contributions the individual makes to a candidate, his or her agent, a  
22 slate of candidates, its agent, a committee, or a contributing organization,  
23 exceeds the contribution limits provided in KRS 121.150;

24 (b) Payment by any person other than the candidate, his or her authorized  
25 treasurer, a slate of candidates, its authorized treasurer, a committee, or a  
26 contributing organization, of compensation for the personal services of  
27 another person which are rendered to a candidate, slate of candidates,

- 1 committee, or contributing organization, or for inauguration activities;
- 2 (c) Goods, advertising, or services with a value of more than one hundred dollars  
3 (\$100) in the aggregate in any one (1) election which are furnished to a  
4 candidate, slate of candidates, committee, or contributing organization or for  
5 inauguration activities without charge, or at a rate which is less than the rate  
6 normally charged for the goods or services; or
- 7 (d) Payment by any person other than a candidate, his or her authorized treasurer,  
8 a slate of candidates, its authorized treasurer, a committee, or contributing  
9 organization for any goods or services with a value of more than one hundred  
10 dollars (\$100) in the aggregate in any one (1) election which are utilized by a  
11 candidate, slate of candidates, committee, or contributing organization, or for  
12 inauguration activities;
- 13 (7) Notwithstanding the foregoing meanings of "contribution," the word shall not be  
14 construed to include:
- 15 (a) Services provided without compensation by individuals volunteering a portion  
16 or all of their time on behalf of a candidate, a slate of candidates, committee,  
17 or contributing organization;
- 18 (b) A loan of money by any financial institution doing business in Kentucky  
19 made in accordance with applicable banking laws and regulations and in the  
20 ordinary course of business; or
- 21 (c) An independent expenditure by any individual or permanent committee;
- 22 (8) "Candidate" means any person who has received contributions or made  
23 expenditures, has appointed a campaign treasurer, or has given his or her consent  
24 for any other person to receive contributions or make expenditures with a view to  
25 bringing about his or her nomination or election to public office, except federal  
26 office;
- 27 (9) "Slate of candidates" means:

- 1 (a) Between the time a certificate or petition of nomination has been filed for a  
2 candidate for the office of Governor under KRS 118.365 and the time the  
3 candidate designates a running mate for the office of Lieutenant Governor  
4 under KRS 118.126, a slate of candidates consists of the candidate for the  
5 office of Governor; and
- 6 (b) After that candidate has designated a running mate under KRS 118.126, that  
7 same slate of candidates consists of that same candidate for the office of  
8 Governor and the candidate's running mate for the office of Lieutenant  
9 Governor. Unless the context requires otherwise, any provision of law that  
10 applies to a candidate shall also apply to a slate of candidates;
- 11 (10) "Knowingly" means, with respect to conduct or to a circumstance described by a  
12 statute defining an offense, that a person is aware or should have been aware that  
13 his or her conduct is of that nature or that the circumstance exists;
- 14 (11) "Fundraiser" means an individual who directly solicits and secures contributions on  
15 behalf of a candidate or slate of candidates for a statewide-elected state office or an  
16 office in a jurisdiction with a population in excess of two hundred thousand  
17 (200,000) residents;
- 18 (12) "Independent expenditure" means the expenditure of money or other things of value  
19 for a communication which expressly advocates the election or defeat of a clearly  
20 identified candidate or slate of candidates, and which is made without any  
21 coordination, consultation, or cooperation with any candidate, slate of candidates,  
22 campaign committee, or any authorized person acting on behalf of any of them, and  
23 which is not made in concert with, or at the request or suggestion of any candidate,  
24 slate of candidates, campaign committee, or any authorized person acting on behalf  
25 of any of them;
- 26 (13) "Electronic reporting" means the use of technology, having electrical, digital,  
27 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an

1 individual or other entity submits, compiles, or transmits campaign finance reports  
2 to the registry, or by which the registry receives, stores, analyzes, or discloses the  
3 reports;

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

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

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

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

16 (18) "Form" means an online web page or an electronic document designed to capture,  
17 validate, and submit data for processing to the registry, unless the context otherwise  
18 prescribes; and

19 **(19) "Reasonable cause" means an event, happening, or circumstance entirely beyond**  
20 **the knowledge or control of the candidate, slate of candidates, or committee,**  
21 **which has exercised due care and prudence in maintaining the records of the**  
22 **campaign or committee pursuant to statute or administrative regulation.**

23 ➔Section 3. KRS 121.140 is amended to read as follows:

24 (1) Upon the sworn complaint of any person, or on its own initiative, the registry shall  
25 investigate alleged violations of campaign finance law. In conducting any  
26 investigation, the registry shall have the power of subpoena and may compel  
27 production of evidence including the financial records of any person determined by

1 the registry to be vital to the investigation. The records subject to subpoena include,  
2 but are not limited to, a person's bank records and other relevant documents, but  
3 excluding individual and business income tax records.

4 (2) If the registry concludes that there is probable cause to believe that the law has been  
5 violated, the registry shall notify the alleged violator of its conclusions and the  
6 evidence supporting them, and shall offer the alleged violator a conciliation  
7 agreement to resolve the issue. A conciliation agreement may require the alleged  
8 violator to comply with one (1) or more of the following:

- 9 (a) To cease and desist violations of the law;
- 10 (b) To file required reports or other documents or information;
- 11 (c) To pay a penalty not to exceed two hundred dollars (\$200)~~one hundred~~  
12 ~~dollars (\$100)~~ a day, up to a maximum total fine of five thousand dollars  
13 (\$5,000), for failure to file any report, payment of an administrative fee, or  
14 other document or information required by law until the report, fee payment,  
15 document, or information is filed; except that there shall be no maximum total  
16 fine for candidates for statewide office; or
- 17 (d) To pay a penalty not to exceed five thousand dollars (\$5,000) per violation for  
18 acts of noncompliance with provisions contained within this chapter.

19 (3) To accept a conciliation agreement, an alleged violator shall deliver the signed  
20 agreement to the registry either in person or by mail postmarked not later than ten  
21 (10) days after the day he received it. The registry may institute a civil action in  
22 Franklin Circuit Court or the Circuit Court for the county of the violator's residence  
23 to enforce the provisions of any conciliation agreement accepted by a violator who  
24 is not complying with its provisions.

25 (4) If the alleged violator declines to accept the conciliation agreement or fails to  
26 respond within the time allowed, the registry shall conduct an administrative  
27 hearing. The provisions of KRS Chapter 13B shall apply to all registry

1 administrative hearings except for the provisions of KRS 13B.030(2)(b)~~{submit a~~  
2 ~~written request to the Chief Justice of the Kentucky Supreme Court to recommend~~  
3 ~~not fewer than five (5) nor more than ten (10) retired or former justices or retired or~~  
4 ~~former judges of the Court of Justice who are qualified and willing to conduct a~~  
5 ~~hearing to determine if a violation has occurred. Upon receipt of the~~  
6 ~~recommendations of the Chief Justice, the registry shall randomly select one (1)~~  
7 ~~retired or former justice or judge from the list to conduct the hearing, which shall be~~  
8 ~~held in accordance with the Kentucky Rules of Civil Procedure, or, if the Chief~~  
9 ~~Justice declines to make recommendations, the registry, on its own initiative, shall~~  
10 ~~request retired or former justices or judges to serve. The time and location of~~  
11 ~~hearings shall be determined by the registry. Retired or former justices or judges~~  
12 ~~selected to serve shall receive reimbursement from the registry for their reasonable~~  
13 ~~and necessary expenses incurred as a result of the performance of their duties at the~~  
14 ~~hourly rate set for attorneys by the Finance and Administration Cabinet. The~~  
15 ~~registry shall notify the complainant and the alleged violator that a hearing shall be~~  
16 ~~conducted of the specific offenses alleged not less than thirty (30) days prior to the~~  
17 ~~date of the hearing. At the hearing, which shall be open to the public pursuant to~~  
18 ~~KRS 61.810, the attorney for the registry shall present the evidence against the~~  
19 ~~alleged violator, and the alleged violator shall have all of the protections of due~~  
20 ~~process, including, but not limited to, the right to be represented by counsel, the~~  
21 ~~right to call and examine witnesses, the right to the production of evidence by~~  
22 ~~subpoena, the right to introduce exhibits and the right to cross-examine opposing~~  
23 ~~witnesses. If the justice or judge determines that the preponderance of the evidence~~  
24 ~~shows a violation has occurred, the justice or judge shall render a decision not more~~  
25 ~~than sixty (60) days after the case is submitted for determination. The decision shall~~  
26 ~~become the final decision of the registry unless the registry board at its next regular~~  
27 ~~meeting acts to set aside or modify the justice's or judge's decision, in which case~~

1 ~~the registry board's decision shall become the final registry decision~~. A party  
2 adversely affected by the registry's *final* order may appeal to Franklin Circuit Court  
3 within thirty (30) days after the date of the registry's *final* order. The violator may  
4 be ordered to comply with any one (1) or more of the following requirements:

- 5 (a) To cease and desist violation of this law;
- 6 (b) To file any reports or other documents or information required by this law;
- 7 (c) To pay a penalty not to exceed two hundred dollars (\$200)~~one hundred~~  
8 ~~dollars (\$100)~~ a day, up to a maximum total fine of five thousand dollars  
9 (\$5,000), for failure to file any report, payment of an administrative fee, or  
10 other document or information required by law until the report, fee payment,  
11 document, or information is filed; except that there shall be no maximum total  
12 fine for candidates for statewide office; or
- 13 (d) To pay a penalty not to exceed five thousand dollars (\$5,000) per violation for  
14 acts of noncompliance with provisions contained within this chapter. An  
15 appeal of an order shall be advanced on the docket to permit a timely  
16 decision.

17 (5) If the registry concludes that there is probable cause to believe that the campaign  
18 finance law has been violated knowingly, it shall refer the violation to the Attorney  
19 General or the appropriate Commonwealth's or county attorney for prosecution. The  
20 Attorney General may request the registry's attorney or the appropriate county or  
21 Commonwealth's attorney to prosecute the matter and may request from the registry  
22 all evidence collected in its investigation. In the event the Attorney General or the  
23 appropriate local prosecutor fails to prosecute in a timely fashion, the registry may  
24 petition the Circuit Court to appoint the registry's attorney to prosecute, and upon a  
25 motion timely filed, for good cause shown, the court shall enter an order to that  
26 effect. Prosecutions involving campaign finance law violations, in which the reports  
27 are required to be filed in Frankfort, may be conducted in Franklin Circuit Court or

1 in the Circuit Court for the county in which the contribution or expenditure  
2 constituting a campaign finance violation was solicited, made, or accepted. The  
3 prosecution of a person who unlawfully solicits, makes, or accepts a contribution or  
4 expenditure through the use of the mail may be conducted in the Circuit Court for  
5 the county in which the solicitation is mailed, the county in which the contribution  
6 is mailed or received, or the county in which the expenditure is mailed.

7 (6) ~~Any person directly involved or affected by an action of the registry which is final,  
8 other than of a determination to refer a violation to the Attorney General or  
9 appropriate Commonwealth's or county attorney for prosecution, may seek judicial  
10 review of the action within thirty (30) days after the date of the action.~~

11 ~~(7) If judicial review is sought of any action of the registry relating to a pending  
12 election, the matter shall be advanced on the docket of the court. The court may  
13 take any steps authorized by law to accelerate its procedures so as to permit a  
14 timely decision.~~

15 ➔Section 4. KRS 121.150 is amended to read as follows:

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



- 1 (2) Except as provided in KRS 121.180(10), the solicitation from and contributions by  
2 campaign committees, independent expenditure-only committees, caucus  
3 campaign committees, political issues committees, permanent committees, and  
4 party executive committees to any religious, charitable, civic, eleemosynary, or  
5 other causes or organizations established primarily for the public good is expressly  
6 prohibited; except that it shall not be construed as a violation of this section for a  
7 candidate or a slate of candidates to contribute to religious, civic, or charitable  
8 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 one hundred dollars (\$100), and all anonymous contributions in excess of one  
12 hundred dollars (\$100) shall be returned to the donor, if the donor can be  
13 determined. If no donor is found, the contribution shall escheat to the state. No  
14 candidate, slate of candidates, committee, or contributing organization, nor anyone  
15 acting on their behalf shall accept anonymous contributions in excess of two  
16 thousand dollars (\$2,000) in the aggregate in any one (1) election. Anonymous  
17 contributions in excess of two thousand dollars (\$2,000) in the aggregate which are  
18 received in any one (1) 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 one hundred  
21 dollars (\$100) in the aggregate from each contributor in any one (1) election. No  
22 candidate, slate of candidates, committee, or contributing organization, nor anyone  
23 on their behalf, shall accept a cashier's check or money order in excess of the  
24 maximum cash contribution limit unless the instrument clearly identifies both the  
25 payor and the payee. A contribution made by cashier's check or money order which  
26 identifies both the payor and payee shall be treated as a contribution made by check  
27 for purposes of the contribution limits contained in this section. No person shall

1 make a cash contribution in excess of one hundred dollars (\$100) in the aggregate  
2 in any one (1) election to a candidate, slate of candidates, committee, or  
3 contributing organization, nor 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 general election.

8 (6) Except as provided in subsection (22) of this section, no candidate, slate of  
9 candidates, campaign committee, nor anyone acting on their behalf, shall accept a  
10 contribution of more than two thousand dollars (\$2,000) as indexed for inflation  
11 every odd-numbered year using the preceding year's percent increase in the non-  
12 seasonally adjusted annual average Consumer Price Index for all Urban Consumers  
13 (CPI-U), U.S. City Average, All Items, for that year as published by the United  
14 States Bureau of Labor Statistics and rounded to the nearest hundred dollars, from  
15 any person, permanent committee, or contributing organization in any one (1)  
16 election. No person, permanent committee, or contributing organization shall  
17 contribute more than two thousand dollars (\$2,000) as indexed for inflation every  
18 odd-numbered year using the preceding year's percent increase in the non-  
19 seasonally adjusted annual average Consumer Price Index for all Urban Consumers  
20 (CPI-U), U.S. City Average, All Items, as published by the United States Bureau of  
21 Labor Statistics and rounded to the nearest hundred dollars, to any one (1)  
22 candidate, campaign committee, nor anyone acting on their behalf, in any one (1)  
23 election.

24 (7) Permanent committees or contributing organizations affiliated by bylaw structure or  
25 by registration, as determined by the Registry of Election Finance, shall be  
26 considered as one (1) committee for purposes of applying the contribution limits of  
27 subsection (6) of this section.

- 1 (8) No permanent committee shall contribute funds to another permanent committee for  
2 the purpose of circumventing contribution limits of subsection (6) of this section. A  
3 permanent committee or independent expenditure-only committee may make  
4 unlimited contributions to an independent expenditure-only committee, or as  
5 allowed by federal law to a federally registered political committee, provided that  
6 if a contribution is earmarked for a particular independent expenditure, the  
7 person making the independent expenditure shall disclose the contribution when  
8 reporting the independent expenditure pursuant to subsection (1) of this section.
- 9 (9) No person shall contribute funds to a permanent committee, political issues  
10 committee, or contributing organization for the purpose of circumventing the  
11 contribution limits of subsection (6) of this section.
- 12 (10) No person shall contribute more than two thousand dollars (\$2,000), as indexed for  
13 inflation every odd-numbered year using the preceding year's percent increase in  
14 the non-seasonally adjusted annual average Consumer Price Index for all Urban  
15 Consumers (CPI-U), U.S. City Average, All Items, for that year as published by the  
16 United States Bureau of Labor Statistics and rounded to the nearest hundred dollars,  
17 to a permanent committee or contributing organization in any one (1) year.
- 18 (11) (a) No person shall contribute more than five thousand dollars (\$5,000) to the  
19 state executive committee of a political party in any one (1) year. The  
20 contribution limit in this paragraph shall not apply to a contribution  
21 designated exclusively for a state executive committee's building fund account  
22 established under KRS 121.172.
- 23 (b) No person shall contribute more than five thousand dollars (\$5,000) to a  
24 subdivision or affiliate of a state political party in any one (1) year.
- 25 (c) No person shall contribute more than five thousand dollars (\$5,000) to a  
26 caucus campaign committee in any one (1) year.
- 27 (12) No person shall make a payment, distribution, loan, advance, deposit, or gift of

1 money to another person to contribute to a candidate, a slate of candidates,  
2 committee, contributing organization, or anyone on their behalf. No candidate, slate  
3 of candidates, committee, contributing organization, nor anyone on their behalf  
4 shall accept a contribution made by one (1) person who has received a payment,  
5 distribution, loan, advance, deposit, or gift of money from another person to  
6 contribute to a candidate, a slate of candidates, committee, contributing  
7 organization, or anyone on their behalf.

8 (13) Subject to the provisions of subsection (17) of this section, no candidate or slate of  
9 candidates for nomination to any state, county, city, or district office, nor their  
10 campaign committees, nor anyone on their behalf, shall solicit or accept  
11 contributions for primary election expenses after the date of the primary. No person  
12 other than the candidate or slate of candidates shall contribute for primary election  
13 expenses after the date of the primary.

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

20 (15) Subject to the provisions of subsection (17) of this section, no candidate or slate of  
21 candidates for nomination or election to any state, county, city, or district office,  
22 nor their campaign committees, nor anyone on their behalf, shall solicit or accept  
23 contributions for special election expenses after the date of the special election. No  
24 person other than the candidate or slate of candidates shall contribute for special  
25 election expenses after the date of the special election.

26 (16) The provisions of subsections (13) and (14) of this section shall apply only to those  
27 candidates in a primary or regular election which shall be conducted subsequent to

- 1 January 1, 1989. The provisions of subsection (15) of this section shall apply only  
2 to those candidates or slates of candidates in a special election which shall be  
3 conducted subsequent to January 1, 1993.
- 4 (17) A candidate, slate of candidates, or a campaign committee may solicit and accept  
5 contributions after the date of a primary election, regular election, or special  
6 election to defray necessary expenses that arise after the date of the election  
7 associated with election contests, recounts, and recanvasses of a specific election,  
8 complaints regarding alleged campaign finance violations that are filed with the  
9 registry pertaining to a specific election, or other legal actions pertaining to a  
10 specific election to which a candidate, slate of candidates, or campaign committee  
11 is a party, and for repayment of debts and obligations owed by the campaign or  
12 previous campaign for the same office. Reports of contributions received and  
13 expenditures made after the date of the specific election shall be made in  
14 accordance with KRS 121.180.
- 15 (18) No candidate, slate of candidates, committee, except a political issues committee,  
16 independent expenditure-only committee, or contributing organization, nor anyone  
17 on their behalf, shall knowingly accept a contribution from a corporation, directly  
18 or indirectly, except to the extent that the contribution is designated to a state  
19 executive committee's building fund account established under KRS 121.172.
- 20 (19) Nothing in this section shall be construed to restrict the ability of a corporation to  
21 administer its permanent committee insofar as its actions can be deemed not to  
22 influence an election as prohibited by KRS 121.025.
- 23 (20) No candidate, slate of candidates, or committee, nor anyone on their behalf, shall  
24 solicit a contribution of money or services from a state employee, whether or not  
25 the employee is covered by the classified service provisions of KRS Chapter 18A.  
26 However, it shall not be a violation of this subsection for a state employee to  
27 receive a solicitation directed to him as a registered voter in an identified precinct as

1 part of an overall plan to contact voters not identified as state employees.

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

7 (22) It shall be permissible for a married couple to make a contribution with one (1)  
8 check that reflects the combined individual contribution limits of each individual  
9 spouse per election, as set forth in subsection (6) of this section, for all elections in  
10 a calendar year and the following shall be required to be written on the check:

11 (a) The signatures of both spouses on the signature line of the check; and

12 (b) The designation of each contribution amount and the election or elections to  
13 which they apply shall be memorialized on the memo line of the check.

14 ➔Section 5. KRS 121.160 is amended to read as follows:

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

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

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

- 1 (b) Keep detailed and exact accounts of:
- 2 1. Contributions of any amount made by a permanent committee, by name
- 3 and business address of the permanent committee, the date of the
- 4 contribution, the amount contributed, and a description of the major
- 5 business, social, or political interest represented by the permanent
- 6 committee; and
- 7 2. Contributions in excess of one hundred dollars (\$100) made to any
- 8 candidate, by name, address, age if under legal voting age, date of the
- 9 contribution, amount of the contribution, and the employer and
- 10 occupation of each other contributor. If the contributor is self-employed,
- 11 the name under which he is doing business shall be listed. The
- 12 occupation listed for the contributor shall be specific. A general
- 13 classification, such as "businessman," shall be insufficient;
- 14 (c) Make or authorize all expenditures on behalf of a candidate or slate of
- 15 candidates. Any expenditure in excess of twenty-five dollars (\$25) shall be by
- 16 check and the treasurer's records shall disclose the name, address, and
- 17 occupation of every person or firm to whom made, and shall list the date and
- 18 amount of the expenditure and the treasurer shall keep a receipted bill for
- 19 each;
- 20 (d) Maintain all receipted bills and accounts required by this section for a period
- 21 of six (6) years from the date he files his last report under KRS
- 22 121.180(3)(b)1.; and
- 23 (e) Make no payment to any person not directly providing goods or services with
- 24 the intent to conceal payment to another.
- 25 (3) A candidate or slate of candidates may remove a campaign treasurer at any time.
- 26 (4) In case of the death, resignation, or removal of a campaign treasurer, the candidate
- 27 or slate of candidates shall within three (3) days after receiving notice thereof by

1 certified mail, appoint a successor and shall file his name and address with the  
2 registry. The candidate, or slate shall be accountable as their own campaign  
3 treasurer if they fail to meet this filing requirement.

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

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

11 ➔Section 6. KRS 121.170 is amended to read as follows:

12 (1) Any committee, except a federally registered political~~[out of state permanent]~~  
13 committee as defined in 52 U.S.C. sec. 30101(4)(a), organized under any  
14 provisions of this chapter shall register with the registry, by filing official notice of  
15 intention at the time of organization, giving names, addresses, and positions of the  
16 officers of the organization, identifying an official contact person of the committee,  
17 and designating the candidate or candidates, slate of candidates, or question it is  
18 organized to support or oppose on forms prescribed by the registry; except that no  
19 campaign committee for a slate of candidates for Governor and Lieutenant  
20 Governor shall be registered prior to the filing of a certificate or petition of  
21 nomination for the candidate for Governor under KRS 118.365. No entity which is  
22 excluded from the definition of "campaign committee" established in KRS  
23 121.015(3)(a) shall be required to register as a committee with the registry. The  
24 name of the committee shall reasonably identify to the public the sponsorship and  
25 purpose of the committee. The forms filed with the registry shall require the  
26 registrant to clearly identify the specific purpose, sponsorship, and source from  
27 which the committee originates; and the registry shall refuse to allow filing by any



- 1 committee until this requirement has been satisfied.
- 2 (2) Any person who acts as a fundraiser by directly soliciting contributions for an  
3 election campaign of a candidate or slate of candidates for statewide-elected state  
4 office or an office in a jurisdiction containing in excess of two hundred thousand  
5 (200,000) residents shall register with the registry when he or she raises in excess of  
6 three thousand dollars (\$3,000) in any one (1) election for the campaign committee  
7 by filing official notice giving his or her name, address, occupation, employer or, if  
8 he or she is self-employed, the name under which he or she is doing business, and  
9 all candidates or slates of candidates for whom he or she is soliciting on forms  
10 prescribed by the registry. A registered fundraiser shall comply with the campaign  
11 finance reporting requirements of KRS 121.180(3), (4), and (5).
- 12 (3) All provisions of KRS 121.160 governing the duties and responsibilities of a  
13 candidate, slate of candidates, or campaign treasurer shall apply to a registered  
14 committee and a person acting as a campaign fundraiser, except if the  
15 chairperson of the committee is a registered voter in Kentucky, the treasurer may  
16 be a registered voter from any state. The provisions of KRS 121.160 shall not  
17 apply to a federally registered political~~[out of state permanent]~~ committee as  
18 defined in 52 U.S.C. sec. 30101(4)(a)~~[, and a person acting as a campaign~~  
19 ~~fundraiser]~~. In case of the death, resignation, or removal of a campaign treasurer for  
20 a permanent committee or executive committee, the chairperson of the permanent  
21 committee or executive committee shall, within three (3) days after receiving notice  
22 of the vacancy by certified mail, appoint a successor as treasurer for the committee  
23 and file the name and address of the successor with the registry. The chairperson of  
24 the permanent committee or executive committee shall be accountable as the  
25 treasurer for the committee if the chairperson fails to meet this filing requirement.
- 26 (4) The chairperson of a committee and the campaign treasurer shall be separate  
27 persons.

- 1 (5) Any federally registered political~~[out-of-state-permanent]~~ committee as defined in  
2 52 U.S.C. sec. 30101(4)(a) that contributes to a Kentucky candidate or a slate of  
3 candidates shall:
- 4 (a) File with the registry a copy of its federal registration (Federal Election  
5 Commission Form 1 - Committee Registration Form);
- 6 (b) File with the registry a copy of the Federal Election Commission finance  
7 report when a contribution is made to, or an independent expenditure is  
8 made in support or opposition of, a Kentucky candidate or a slate of  
9 candidates; and
- 10 (c) Contribute not more than the maximum amount permitted for a permanent  
11 committee to make under Kentucky law to any candidate or to any slate of  
12 candidates for any office in this Commonwealth.
- 13 (6) Notwithstanding any provision of law to the contrary, a contribution made by a  
14 federally registered political~~[permanent]~~ committee as defined in 52 U.S.C. sec.  
15 30101(4)(a) to any candidate or to any slate of candidates for any office in this  
16 Commonwealth that complies with the provisions of 52 U.S.C. sec. 30118~~[2 U.S.C.~~  
17 ~~sec. 441b]~~, 11 C.F.R. sec. 104.10, 11 C.F.R. sec. 106.6, and 11 C.F.R. sec. 114.1-  
18 114.12 regarding limitations on contributions by corporations shall be deemed to  
19 comply with the campaign finance laws of this Commonwealth prohibiting  
20 corporate contributions to candidates or slates of candidates.
- 21 (7) The organization, formation, or registration of a permanent committee by any  
22 member of the General Assembly shall be prohibited.
- 23 (8) The official contact person of a permanent committee shall not be a legislative  
24 agent as defined in KRS 6.611 or an executive agency lobbyist as defined in KRS  
25 11A.201.
- 26 ➔Section 7. KRS 121.175 is amended to read as follows:
- 27 (1) No candidate, committee, or contributing organization shall permit funds in a

1 campaign account to be expended for any purpose other than for allowable  
2 campaign expenditures. "Allowable campaign expenditures" means expenditures  
3 including reimbursement for actual expenses, made directly and primarily in  
4 support of or opposition to a candidate, constitutional amendment, or public  
5 question which will appear on the ballot and includes, but is not limited to,  
6 expenditures for staff salaries, gifts and meals for volunteer campaign workers,  
7 food and beverages provided at a campaign rally, advertising, office space,  
8 necessary travel if reported, campaign paraphernalia, purchases of advertisements  
9 in athletic and scholastic publications, communications with constituents or  
10 prospective voters, polling and consulting, printing, graphic arts, or advertising  
11 services, postage, office supplies, stationery, newsletters, and equipment which is  
12 used primarily for the administration of the campaign, or for fees incurred from  
13 legal services while defending a matter before the Kentucky Legislative Ethics  
14 Commission in which the final adjudication is rendered in favor of the candidate.  
15 "Allowable campaign expenditures" does not include necessary travel unless  
16 reported, expenditures of funds in a campaign account for any purpose made  
17 unlawful by other provisions of the Kentucky Revised Statutes or which would  
18 bestow a private pecuniary benefit, except for payment of the reasonable value of  
19 goods and services provided upon a candidate, member of the candidate's family,  
20 committee, or contributing organization, or any of their employees, paid or unpaid,  
21 including: tickets to an event which is unrelated to a political campaign or  
22 candidacy; items of personal property for distribution to prospective voters except  
23 items bearing the name, likeness, or logo of a candidate or a campaign-related  
24 communication; expenditures to promote or oppose a candidacy for a leadership  
25 position in a governmental, professional, or political organization, or other entity;  
26 and equipment or appliances the primary use of which is for purposes outside of the  
27 campaign. The provisions of KRS 121.190 notwithstanding, a candidate shall not be

1 required to include a disclaimer on campaign stationery purchased with funds from  
2 his campaign account.

3 **(2)** A member of the General Assembly may utilize funds in his or her campaign  
4 account to:

5 **(a)** Contribute up to five thousand dollars (\$5,000) per year to a political party or  
6 caucus campaign committee; ~~[- A member of the General Assembly may -]~~

7 **(b)** Make allowable campaign expenditures in both election years and nonelection  
8 years;

9 **(c)** Upon approval by the President of the Senate or the Speaker of the House  
10 of Representatives, depending on the member's chamber:

11 1. Attend a conference, meeting, reception, or similar event; or

12 2. Attend an educational course or seminar that maintains or improves  
13 skills employed by the member in carrying out the duties of his or her  
14 elective office; and

15 **(d)** Pay for fees incurred from legal services while defending a matter arising  
16 from his or her campaign or election or the performance of his or her  
17 official duties.

18 ~~**(3)**~~ ~~**(2)**~~ By December 31, 1993, the registry shall promulgate administrative  
19 regulations to implement and enforce the provisions of subsection (1) of this  
20 section.

21 ~~**(4)**~~ ~~**(3)**~~ In lieu of the penalties provided in KRS 121.140 and 121.990 for a violation  
22 of this section, the registry may, after hearing:

23 (a) For a violation which was not committed knowingly, order the violator to  
24 repay the amount of campaign funds which were expended for other than  
25 allowable campaign expenditures, and if not repaid within thirty (30) days,  
26 may impose a fine of up to one hundred dollars (\$100) for each day the  
27 amount is not repaid, up to a maximum fine of one thousand dollars (\$1,000);

1           and

2           (b) For a violation which was committed knowingly, in addition to referring the  
3           matter for criminal prosecution, order the violator to repay the amount of  
4           campaign funds which were expended for other than allowable campaign  
5           expenditures, and if not repaid within thirty (30) days, may impose a fine of  
6           up to one hundred dollars (\$100) for each day the amount is not repaid, up to  
7           a maximum fine of one thousand dollars (\$1,000).

8           ➔Section 8. KRS 121.180 is amended to read as follows:

9           (1) (a) Any candidate, slate of candidates, or political issues committee shall be  
10           exempt from filing any campaign finance reports required by subsections (3)  
11           and (4) of this section if the candidate, slate of candidates, or political issues  
12           committee chair files a form prescribed and furnished by the registry stating  
13           that currently no contributions have been received and that contributions will  
14           not be accepted or expended in excess of three thousand dollars (\$3,000) in  
15           any one (1) election. A separate form shall be required for each primary,  
16           regular, or special election in which the candidate or slate of candidates  
17           participates or in which the public question appears on the ballot. The form  
18           shall be submitted by means of electronic filing with the registry.

19           (b) For a primary, a candidate or slate of candidates shall file a request for  
20           exemption not later than the deadline for filing nomination papers and, except  
21           as provided in subparagraph 2. of paragraph (c) of this subsection, shall be  
22           bound by its terms unless it is rescinded in writing not later than thirty (30)  
23           days preceding the primary. For a regular election, a candidate or slate of  
24           candidates shall file or rescind in writing a request for exemption not later  
25           than sixty (60) days preceding the regular election, except as provided in  
26           subparagraph 2. of paragraph (c) of this subsection. For a special election, a  
27           candidate or slate of candidates shall file a request for exemption not later

1 than ten (10) days after the candidate or slate of candidates is nominated for a  
2 special election and shall be bound by its terms unless it is rescinded in  
3 writing not later than thirty (30) days preceding the special election. A  
4 political issues committee chair shall file a request for exemption when the  
5 committee registers with the registry and shall be bound by its terms unless it  
6 is rescinded in writing not later than thirty (30) days preceding the date the  
7 issue appears on the ballot.

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

14 2. A candidate or slate of candidates that is exempted from campaign  
15 finance reporting requirements pursuant to paragraph (a) of this  
16 subsection but who accepts contributions or makes expenditures in  
17 excess of the exempted amount in an election, shall file all applicable  
18 reports required for the remainder of that election, based upon the  
19 amount of contributions or expenditures the candidate or slate of  
20 candidates accepts or receives in that election.

21 (d) Any candidate or slate of candidates that is subject to a June or August filing  
22 deadline and that intends to execute a request for exemption shall file the  
23 appropriate request for exemption not later than the filing deadline and, except  
24 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be  
25 bound by its terms unless it is rescinded in writing not later than sixty (60)  
26 days preceding the regular election. A candidate or slate of candidates that is  
27 covered by this paragraph shall have the same reversion rights as those

1 provided in subparagraph 1. of paragraph (c) of this subsection.

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

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

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

26 (h) If the opponent of a candidate or slate of candidates is replaced due to his or  
27 her withdrawal because of death, disability, or disqualification, the candidate

1 or slate of candidates, except as provided in subparagraph 2. of paragraph (c)  
2 of this subsection, may exercise the reversion rights provided in subparagraph  
3 1. of paragraph (c) of this subsection not later than fifteen (15) days after the  
4 party executive committee nominates a replacement for the withdrawn  
5 candidate or slate of candidates.

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

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

21 (k) 1. Except as provided in subparagraph 2. of paragraph (c) of this  
22 subsection, any candidate, slate of candidates, or political issues  
23 committee that is exempt from filing campaign finance reports pursuant  
24 to paragraph (a), (d), or (i) of this subsection that accepts contributions  
25 or makes expenditures, or whose campaign treasurer accepts  
26 contributions or makes expenditures, in excess of the applicable limit in  
27 any one (1) election without rescinding the request for exemption in a



- 1           timely manner shall comply with all applicable reporting requirements  
2           and, in lieu of other penalties prescribed by law, pay a fine of not less  
3           than five hundred dollars (\$500).
- 4           2. Except as provided in subparagraph 2. of paragraph (c) of this  
5           subsection, a candidate, slate of candidates, campaign committee, or  
6           political issues committee that is exempt from filing campaign finance  
7           reports pursuant to paragraph (a), (d), or (i) of this subsection that  
8           knowingly accepts contributions or makes expenditures in excess of the  
9           applicable spending limit in any one (1) election without rescinding the  
10          request for exemption in a timely manner shall comply with all  
11          applicable reporting requirements and shall be guilty of a Class D  
12          felony.
- 13          (1) 1. Any candidate exempt from filing under this subsection for a primary  
14               shall file a report described in subsection (4) of this section.
- 15          2. Any candidate exempt from filing under this subsection for a primary  
16               who advances to the regular election shall file for an additional  
17               exemption under this section for the regular election or the candidate  
18               shall no longer be exempt from the filing requirements.
- 19          3. In the event a candidate exempt from filing under this subsection is no  
20               longer eligible for the exemption, he or she shall immediately file for a  
21               revocation of the exemption under paragraph (c) of this subsection.
- 22          (2) (a) State and county executive committees, and caucus campaign committees  
23               shall make a full report, upon a prescribed form, to the registry, of all money,  
24               loans, or other things of value, received from any source, and expenditures  
25               authorized, incurred, or made, since the date of the last report, including:
- 26               1. For each contribution of any amount made by a permanent committee,  
27               the name and business address of the permanent committee, the date of

- 1 the contribution, the amount contributed, and a description of the major  
2 business, social, or political interest represented by the permanent  
3 committee;
- 4 2. For other contributions in excess of one hundred dollars (\$100), the full  
5 name, address, age if less than the legal voting age, the date of the  
6 contribution, the amount of the contribution, and the employer and  
7 occupation of each contributor. If the contributor is self-employed, the  
8 name under which he or she is doing business shall be listed;
- 9 3. The total amount of cash contributions received during the reporting  
10 period; and
- 11 4. A complete statement of expenditures authorized, incurred, or made.  
12 The complete statement of expenditures shall include the name and  
13 address of each person to whom an expenditure is made in excess of  
14 twenty-five dollars (\$25), and the amount, date, and purpose of each  
15 expenditure.
- 16 (b) In addition to the reporting requirements in paragraph (a) of this subsection,  
17 the state executive committee of a political party that has established a  
18 building fund account under KRS 121.172 shall make a full report, upon a  
19 prescribed form, to the registry, of all contributions received from any source,  
20 and expenditures authorized, incurred, or made, since the date of the last  
21 report for the separate building fund account, including:
- 22 1. For each contribution of any amount made by a corporation, the name  
23 and business address of the corporation, the date of the contribution, the  
24 amount contributed, and a description of the major business conducted  
25 by the corporation;
- 26 2. For other contributions in excess of one hundred dollars (\$100), the full  
27 name and address of the contributor, the date of the contribution, the

- 1 amount of the contribution, and the employer and occupation of each  
2 contributor. If the contributor is self-employed, the name under which  
3 he or she is doing business shall be listed;
- 4 3. The total amount of cash contributions received during the reporting  
5 period; and
- 6 4. A complete statement of expenditures authorized, incurred, or made.  
7 The complete statement of expenditures shall include the name and  
8 address of each person to whom an expenditure is made in excess of  
9 twenty-five dollars (\$25), and the amount, date, and purpose of each  
10 expenditure.
- 11 (c) The report required by paragraph (a) of this subsection shall be made on a  
12 semiannual basis if the committee has more than ten thousand dollars  
13 (\$10,000) in its campaign fund account, and shall be received by the registry  
14 by January 31 and by July 31. The January report shall cover the period from  
15 July 1 to December 31. The July report shall cover the period from January 1  
16 to June 30. If the committee has less than ten thousand dollars (\$10,000) in its  
17 campaign fund account the report required by paragraph (a) of this subsection  
18 shall be made on an annual basis, and shall be received by the registry by  
19 January 31. If an individual gives a reportable contribution to a caucus  
20 campaign committee or to a state or county executive committee with the  
21 intention that the contribution or a portion of the contribution go to a  
22 candidate or slate of candidates, the name of the contributor and the sum shall  
23 be indicated on the committee report. The report required by paragraph (b) of  
24 this subsection relating to a state executive committee's building fund account  
25 shall be received by the registry within two (2) business days after the close of  
26 each calendar quarter. The receipts and expenditures of funds remitted to each  
27 political party under KRS 141.071 to 141.073 shall be separately accounted

1 for and reported to the registry in the manner required by KRS 121.230. The  
2 separate report may be made a separate section within the report required by  
3 this subsection to be received by the registry by January 31.

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

- 16 1. For each contribution of any amount made by a permanent committee,  
17 the name and business address of the permanent committee, the date of  
18 the contribution, the amount contributed, and a description of the major  
19 business, social, or political interest represented by the permanent  
20 committee;
- 21 2. For each contribution in excess of one hundred dollars (\$100) made to  
22 any candidate or campaign committee or a political issues committee,  
23 the full name, address, age if less than the legal voting age, the date of  
24 the contribution, the amount of the contribution, and the employer and  
25 occupation of each other contributor. If the contributor is self-employed,  
26 the name under which he or she is doing business shall be listed;
- 27 3. The total amount of cash contributions received during the reporting

1 period; and

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

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

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

9 1. a. Candidates seeking statewide office, slates of candidates,  
10 authorized campaign committees for candidates seeking statewide  
11 office and for slates of candidates, unauthorized campaign  
12 committees, political issues committees, and fundraisers which  
13 register before the year of an election in which the candidate, a  
14 slate of candidates, or public question shall appear on the ballot,  
15 shall file financial reports with the registry at the end of the first  
16 calendar quarter after persons become statewide candidates or  
17 slates of candidates, or following registration of the committee or  
18 fundraiser, and each calendar quarter thereafter, ending with the  
19 last calendar quarter of that year. The provisions of this  
20 subparagraph shall be retroactive to January 1, 2021;

21 b. All other candidates and candidate campaign committees shall file  
22 annual financial reports to be received by the registry on or before  
23 December 1 for each year that a candidate is not yet on the ballot  
24 but has filed a Statement of Spending Intent and Appointment of  
25 Campaign Treasurer with the registry for a future-year election;  
26 and

27 c. Candidates, slate of candidates, or committees shall make all

1 reports required by subparagraphs 2. to 5. of this paragraph during  
2 the year in which the election takes place;

3 2. All candidates, slates of candidates, candidate-authorized and  
4 unauthorized campaign committees, political issues committees, and  
5 registered fundraisers shall make reports on the sixtieth day preceding a  
6 regular election, including all previous contributions and expenditures;

7 3. All candidates, slates of candidates, candidate-authorized and  
8 unauthorized campaign committees, political issues committees, and  
9 registered fundraisers shall make reports on the thirtieth day preceding  
10 an election, including all previous contributions and expenditures;

11 4. All candidates, slates of candidates, candidate-authorized and  
12 unauthorized campaign committees, political issues committees, and  
13 registered fundraisers shall make reports on the fifteenth day preceding  
14 the date of the election; and

15 5. All reports to the registry shall cover campaign activity during the entire  
16 reporting period and must be received by the registry within two (2)  
17 business days after the date the reporting period ends to be deemed  
18 timely filed.

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

27 (5) In making the preceding reports, the total gross receipts from each of the following

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

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

27 (a) For each contribution of any amount made by a permanent committee, the

- 1 name and business address of the permanent committee, the date of the  
2 contribution, the amount contributed, and a description of the major business,  
3 social, or political interest represented by the permanent committee;
- 4 (b) For other contributions in excess of one hundred dollars (\$100), the full name,  
5 address, age if under the legal voting age, the date of the contribution, the  
6 amount of the contribution, and the employer and occupation of each  
7 contributor. If the contributor is self-employed, the name under which he or  
8 she is doing business shall be listed;
- 9 (c) An aggregate amount of cash contributions, the amount contributed by each  
10 contributor, and the date of each contribution; and
- 11 (d) A complete statement of all expenditures authorized, incurred, or made,  
12 including independent expenditures. This report shall be made by a permanent  
13 committee, inaugural committee, or contributing organization to the registry  
14 on the last day of the first calendar quarter following the registration of the  
15 committee with the registry and on the last day of each succeeding calendar  
16 quarter until such time as the committee terminates. A contributing  
17 organization shall file a report of contributions received and expenditures on a  
18 form provided or using a format approved by the registry not later than the  
19 last day of each calendar quarter in which contributions are received or  
20 expenditures are made. All reports to the registry shall be received on or  
21 before each filing deadline, and any report received by the registry within two  
22 (2) business days after each filing deadline shall be deemed timely filed.
- 23 (7) If the final statement of a candidate, campaign committee, or political issues  
24 committee shows an unexpended balance of contributions, continuing debts and  
25 obligations, or an expenditure deficit, the campaign treasurer shall file with the  
26 registry a supplemental statement of contributions and expenditures not more than  
27 thirty (30) days after the deadline for filing the final statement. Subsequent



1 supplemental statements shall be filed annually, to be received by the registry by  
2 December 1 of each year, until the account shows no unexpended balance,  
3 continuing debts and obligations, expenditures, or deficit. All post-election reports  
4 to the registry shall cover campaign activity during the entire reporting period and  
5 must be received by the registry within two (2) business days after the date the  
6 reporting period ends to be deemed timely filed. All contributions shall be subject  
7 to KRS 121.150 as of the date of the election in which the candidate appeared on  
8 the ballot.

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

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

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

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

- 1 (c) The waiver shall continue in effect as long as the candidate or slate of  
2 candidates complies with the conditions under which it was granted.
- 3 (10) (a) No candidate, slate of candidates, campaign committee, political issues  
4 committee, or contributing organization shall use or permit the use of  
5 contributions or funds solicited or received for the person or in support of or  
6 opposition to a public issue which will appear on the ballot to:
- 7 1. Further the candidacy of the person for a different public office;
  - 8 2. Support or oppose a different public issue; or
  - 9 3. Further the candidacy of any other person for public office.
- 10 (b) Nothing in this subsection shall be deemed to prohibit a candidate or slate of  
11 candidates from using funds in a campaign account to purchase admission  
12 tickets for, or contribute to, any fundraising event or testimonial affair for  
13 another candidate or slate of candidates if the amount of the purchase or  
14 contribution does not exceed *the individual contribution limit contained in*  
15 *KRS 121.150(6) in any one (1) election*~~[two hundred dollars (\$200) per event~~  
16 ~~or affair]~~.
- 17 (c) 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  
19 whole or in part to further any candidacy for the same person or to support or  
20 oppose the same public issue, shall be deemed to have been solicited or  
21 received for the current candidacy or for the election on the public issue if the  
22 funds or contributions are solicited or received at any time prior to the regular  
23 election for which the candidate, slate of candidates, or public issue is on the  
24 ballot.
- 25 (d) Any unexpended balance of funds not otherwise obligated for the payment of  
26 expenses incurred to further a political issue or the candidacy of a person  
27 shall, in whole or in part, at the election of the candidate or committee:

- 1           1.    Escheat to the State Treasury;
- 2           2.    Be returned pro rata to all contributors;
- 3           3.    In the case of a partisan candidate, be transferred to:
  - 4           a.    A caucus campaign committee; or
  - 5           b.    The state or county executive committee of the political party of  
6                 which the candidate is a member;
- 7           4.    Be retained to further the same public issue or to seek election to the  
8                 same office; or
- 9           5.    Be donated to any charitable, nonprofit, or educational institution  
10                 recognized under Section 501(c)(3) of the United States Internal  
11                 Revenue Code of 1986, as amended, and any successor thereto, from  
12                 which the candidate or committee receives no financial benefit.

13 (11) If adequate and appropriate agency funds are available to implement this  
14 subsection, electronic reporting shall be made available by the registry to all  
15 candidates, slates of candidates, committees, contributing organizations, registered  
16 fundraisers, and persons making independent expenditures. The electronic report  
17 submitted to the registry shall be the official campaign finance report for audit and  
18 other legal purposes, whether mandated or filed by choice.

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

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

23 (14) Filers who submit electronic campaign finance reports which are not readable, or  
24 cannot be copied shall be deemed to not be in compliance with the requirements set  
25 forth in this section.

26 (15) Beginning with the primary scheduled in calendar year 2020, and for each  
27 subsequent election scheduled thereafter, reports required to be submitted to the

1 registry involving candidates, slates of candidates, committees, contributing  
2 organizations, and independent expenditures shall be reported electronically.

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

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

14 ➔Section 9. KRS 121.180 is amended to read as follows:

15 (1) (a) 1. Persons becoming a candidate as defined in subsection (8) of Section  
16 2 of this Act or slate of candidates as defined in subsection (9) of  
17 Section 2 of this Act, or a political issues committee as defined in  
18 subsection (3)(d) of Section 2 of this Act, shall submit a form  
19 prescribed and furnished by the registry indicating whether they  
20 intend to raise or spend in excess of five thousand dollars (\$5,000) in  
21 any one (1) election, or that contributions will not be accepted or  
22 expended in excess of five thousand dollars (\$5,000) in any one (1)  
23 election. Candidates and slates of candidates shall submit this form to  
24 the registry within five (5) days of receiving contributions or making  
25 expenditures with a view to bringing about his or her nomination or  
26 election to public office, or within five (5) days of filing papers to run  
27 for public office, whichever is sooner. Candidates and slates of

1 candidates who advance to a regular election following a primary  
2 shall submit this form to the registry within five (5) days after the date  
3 of the primary. Political issues committees shall submit the form to the  
4 registry within five (5) days of meeting the definition of political issues  
5 committee in subsection (3)(d) of Section 2 of this Act~~[Any candidate,~~  
6 ~~slate of candidates, or political issues committee shall be exempt from~~  
7 ~~filing any campaign finance reports required by subsections (3) and (4)~~  
8 ~~of this section if the candidate, slate of candidates, or political issues~~  
9 ~~committee chair files a form prescribed and furnished by the registry~~  
10 ~~stating that currently no contributions have been received and that~~  
11 ~~contributions will not be accepted or expended in excess of three~~  
12 ~~thousand dollars (\$3,000) in any one (1) election].~~

13 2. Each candidate, slate of candidates, or political issues committee  
14 indicating that contributions will not be accepted or expended in  
15 excess of five thousand dollars (\$5,000) in any one (1) election shall  
16 be exempt from filing any campaign finance reports required by  
17 subsection (3) of this section.

18 3. A separate form shall be required for each primary, regular, or special  
19 election in which the candidate or slate of candidates participates or in  
20 which the public question appears on the ballot. The form shall be  
21 submitted by means of electronic filing with the registry.

22 4. Any person acting as a candidate or slate of candidates by receiving  
23 contributions or making expenditures with a view to bringing about  
24 his or her nomination or election to public office, or filing papers to  
25 run for public office, or group of persons acting as a political issues  
26 committee, who fails to file this form as required, or who fails to  
27 remedy a deficiency within five (5) days, may be fined by the registry

1                                    *an amount not to exceed two hundred dollars (\$200) per day, up to a*  
2                                    *maximum total fine of five thousand dollars (\$5,000).*

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

19           (c) 1. A candidate or slate of candidates that revokes a request for exemption  
20           in a timely manner shall file all reports required of a candidate intending  
21           to raise or spend in excess of *five thousand dollars (\$5,000)*~~three~~  
22           ~~thousand dollars (\$3,000)~~ in an election. To revoke the request for an  
23           exemption, the candidate or slate of candidates shall file the appropriate  
24           form with the registry not later than the deadline for filing a revocation.  
25           2. A candidate or slate of candidates that is exempted from campaign  
26           finance reporting requirements pursuant to paragraph (a) of this  
27           subsection but who accepts contributions or makes expenditures in

1 excess of the exempted amount in an election, shall file all applicable  
2 reports required for the remainder of that election, based upon the  
3 amount of contributions or expenditures the candidate or slate of  
4 candidates accepts or receives in that election.

5 (d) Any candidate or slate of candidates that is subject to a June or August filing  
6 deadline and that intends to execute a request for exemption shall file the  
7 appropriate request for exemption not later than the ~~filing~~ deadline **described**  
8 **in paragraph (a) of this subsection** and, except as provided in subparagraph  
9 2. of paragraph (c) of this subsection, shall be bound by its terms unless it is  
10 rescinded in writing not later than sixty (60) days preceding the regular  
11 election. A candidate or slate of candidates that is covered by this paragraph  
12 shall have the same reversion rights as those provided in subparagraph 1. of  
13 paragraph (c) of this subsection.

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

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

1           this subsection.

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

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

18          (i) A person intending to be a write-in candidate for any office in a regular or  
19          special election may execute a request for exemption under paragraph (a) of  
20          this subsection and shall be bound by its terms unless it is rescinded in writing  
21          not later than fifteen (15) days preceding the regular or special election. A  
22          person intending to be a write-in candidate who revokes a request for  
23          exemption in a timely manner shall file all reports required of a candidate  
24          intending to raise or spend in excess of five thousand dollars (\$5,000)~~three~~  
25          ~~thousand dollars (\$3,000)~~ in an election. Except as provided in subparagraph  
26          2. of paragraph (c) of this subsection, a person intending to be a write-in  
27          candidate who revokes a request for exemption shall file the appropriate form



1 with the registry.

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

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

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

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

- 1           2. Any candidate exempt from filing under this subsection for a primary  
2           who advances to the regular election shall file for an additional  
3           exemption under this section for the regular election or the candidate  
4           shall no longer be exempt from the filing requirements.
- 5           3. In the event a candidate exempt from filing under this subsection is no  
6           longer eligible for the exemption, he or she shall immediately file for a  
7           revocation of the exemption under paragraph (c) of this subsection.
- 8 (2) (a) State and county executive committees, and caucus campaign committees  
9           shall make a full report, upon a prescribed form, to the registry, of all money,  
10          loans, or other things of value, received from any source, and expenditures  
11          authorized, incurred, or made, since the date of the last report, including:
- 12          1. For each contribution of any amount made by a permanent committee,  
13          the name and business address of the permanent committee, the date of  
14          the contribution, the amount contributed, and a description of the major  
15          business, social, or political interest represented by the permanent  
16          committee;
- 17          2. For other contributions in excess of one hundred dollars (\$100), the full  
18          name, address, age if less than the legal voting age, the date of the  
19          contribution, the amount of the contribution, and the employer and  
20          occupation of each contributor. If the contributor is self-employed, the  
21          name under which he or she is doing business shall be listed;
- 22          3. The total amount of cash contributions received during the reporting  
23          period; and
- 24          4. A complete statement of expenditures authorized, incurred, or made.  
25          The complete statement of expenditures shall include the name and  
26          address of each person to whom an expenditure is made in excess of  
27          twenty-five dollars (\$25), and the amount, date, and purpose of each

1 expenditure.

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

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

24 (c) The report required by paragraph (a) of this subsection shall be made on a  
25 semiannual basis if the committee has more than ten thousand dollars  
26 (\$10,000) in its campaign fund account, and shall be received by the registry  
27 by January 31 and by July 31. The January report shall cover the period from

1 July 1 to December 31. The July report shall cover the period from January 1  
2 to June 30. If the committee has less than ten thousand dollars (\$10,000) in its  
3 campaign fund account the report required by paragraph (a) of this subsection  
4 shall be made on an annual basis, and shall be received by the registry by  
5 January 31. If an individual gives a reportable contribution to a caucus  
6 campaign committee or to a state or county executive committee with the  
7 intention that the contribution or a portion of the contribution go to a  
8 candidate or slate of candidates, the name of the contributor and the sum shall  
9 be indicated on the committee report. The report required by paragraph (b) of  
10 this subsection relating to a state executive committee's building fund account  
11 shall be received by the registry within two (2) business days after the close of  
12 each calendar quarter. The receipts and expenditures of funds remitted to each  
13 political party under KRS 141.071 to 141.073 shall be separately accounted  
14 for and reported to the registry in the manner required by KRS 121.230. The  
15 separate report may be made a separate section within the report required by  
16 this subsection to be received by the registry by January 31.

17 (3) (a) Except for candidates or slates of candidates, campaign committees, or  
18 political issues committees exempted from reporting requirements pursuant to  
19 subsection (1) of this section, each campaign treasurer of a candidate, slate of  
20 candidates, campaign committee, or political issues committee who accepts  
21 contributions or expends, expects to accept contributions or expend, or  
22 contracts to expend more than five thousand dollars (\$5,000)~~three thousand~~  
23 ~~dollars (\$3,000)~~ in any one (1) election, and each fundraiser who secures  
24 contributions in excess of five thousand dollars (\$5,000)~~three thousand~~  
25 ~~dollars (\$3,000)~~ in any one (1) election, shall make a full report to the  
26 registry, on a form provided or using a format approved by the registry, of all  
27 money, loans, or other things of value, received from any source, and

1 expenditures authorized, incurred, and made, since the date of the last report,  
2 including:

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

21 (b) Reports of all candidates, slates of candidates, campaign committees,  
22 *independent expenditure-only committees*, political issues committees, and  
23 registered fundraisers shall be made as follows:

- 24 1. a. Candidates seeking statewide office, slates of candidates,  
25 ~~authorized~~ campaign committees for candidates seeking statewide  
26 office and for slates of candidates, *independent expenditure-only*  
27 *committees* ~~[unauthorized campaign committees]~~, political issues

1 committees, and fundraisers which file the form described in  
2 subsection (1)(a) of this section~~register~~ before the year of an  
3 election in which the candidate, a slate of candidates, or public  
4 question shall appear on the ballot, shall file financial reports with  
5 the registry at the end of the first calendar quarter after persons  
6 become statewide candidates or slates of candidates, or following  
7 registration of the committee or fundraiser, and each calendar  
8 quarter thereafter, ending with the last calendar quarter of that  
9 year. The provisions of this subparagraph shall be retroactive to  
10 January 1, 2021;

11 b. All other candidates and~~candidate~~ campaign committees shall  
12 file annual financial reports to be received by the registry on or  
13 before December 1 for each year that a candidate is not yet on the  
14 ballot but has filed a form as described in subsection (1)(a) of this  
15 section~~Statement of Spending Intent and Appointment of~~  
16 ~~Campaign Treasurer~~ with the registry for a future-year election;  
17 and

18 c. Candidates, slate of candidates, or committees shall make all  
19 reports required by subparagraphs 2. to 5. of this paragraph during  
20 the year in which the election takes place;

21 2. All candidates, slates of candidates,~~candidate authorized and~~  
22 ~~unauthorized~~ campaign committees, independent expenditure-only  
23 committees, political issues committees, and registered fundraisers shall  
24 make reports on the sixtieth day preceding a regular election, including  
25 all previous contributions and expenditures;

26 3. All candidates, slates of candidates,~~candidate authorized and~~  
27 ~~unauthorized~~ campaign committees, independent expenditure-only

1                    committees, political issues committees, and registered fundraisers shall  
 2                    make reports on the thirtieth day preceding an election, including all  
 3                    previous contributions and expenditures;

4                    4. All candidates, slates of candidates, ~~[candidate authorized and~~  
 5                    ~~unauthorized]~~ campaign committees, independent expenditure-only  
 6                    committees, political issues committees, and registered fundraisers shall

7                    make reports on the fifteenth day preceding the date of the election; and

8                    5. All reports to the registry shall cover campaign activity during the entire  
 9                    reporting period and must be received by the registry within two (2)  
 10                    business days after the date the reporting period ends to be deemed  
 11                    timely filed.

12 (4) ~~[Except for candidates, slates of candidates, and political issues committees,~~  
 13 ~~exempted pursuant to subsection (1)(a) of this section,]~~ All candidates, regardless of  
 14 funds received or expended, ~~[candidate authorized and unauthorized]~~ campaign  
 15 committees, independent expenditure-only committees, political issues  
 16 committees, and registered fundraisers shall make post-election reports within thirty  
 17 (30) days after the election. All post-election reports to the registry shall cover  
 18 campaign activity during the entire reporting period and must be received by the  
 19 registry within two (2) business days after the date the reporting period ends to be  
 20 deemed timely filed. For candidates, slates of candidates, and political issues  
 21 committees otherwise exempt under subsection (1)(a) of this section, the reporting  
 22 period begins the day the request for exemption is filed with the registry and  
 23 continues through the thirtieth day after the election.

24 (5) In making the preceding reports, the total gross receipts from each of the following  
 25 categories shall be listed: proceeds from the sale of tickets for events such as  
 26 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass  
 27 collections made at the events, and sales of items such as campaign pins, buttons,

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

18 (6) Each permanent committee, except a federally registered political~~permanent~~  
19 committee as defined in 52 U.S.C. sec. 30101(4)(a), inaugural committee, or  
20 contributing organization shall make a full report to the registry, on a form provided  
21 or using a format approved by the registry, of all money, loans, or other things of  
22 value, received by it from any source, and all expenditures authorized, incurred, or  
23 made, since the date of the last report, including:

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



- 1 (b) For other contributions in excess of one hundred dollars (\$100), the full name,  
2 address, age if under the legal voting age, the date of the contribution, the  
3 amount of the contribution, and the employer and occupation of each  
4 contributor. If the contributor is self-employed, the name under which he or  
5 she is doing business shall be listed;
- 6 (c) An aggregate amount of cash contributions, the amount contributed by each  
7 contributor, and the date of each contribution; and
- 8 (d) A complete statement of all expenditures authorized, incurred, or made,  
9 including independent expenditures. This report shall be made by a permanent  
10 committee, inaugural committee, or contributing organization to the registry  
11 on the last day of the first calendar quarter following the registration of the  
12 committee with the registry and on the last day of each succeeding calendar  
13 quarter until such time as the committee terminates. A contributing  
14 organization shall file a report of contributions received and expenditures on a  
15 form provided or using a format approved by the registry not later than the  
16 last day of each calendar quarter in which contributions are received or  
17 expenditures are made. All reports to the registry shall be received on or  
18 before each filing deadline, and any report received by the registry within two  
19 (2) business days after each filing deadline shall be deemed timely filed.
- 20 (7) If the final statement of a candidate, campaign committee, *independent*  
21 *expenditure-only committee*, or political issues committee shows an unexpended  
22 balance of contributions, continuing debts and obligations, or an expenditure  
23 deficit, the campaign treasurer shall file with the registry a supplemental statement  
24 of contributions and expenditures not more than thirty (30) days after the deadline  
25 for filing the final statement. Subsequent supplemental statements shall be filed  
26 annually, to be received by the registry by December 1 of each year, until the  
27 account shows no unexpended balance, continuing debts and obligations,

1 expenditures, or deficit. All post-election reports to the registry shall cover  
2 campaign activity during the entire reporting period and must be received by the  
3 registry within two (2) business days after the date the reporting period ends to be  
4 deemed timely filed. All contributions shall be subject to KRS 121.150 as of the  
5 date of the election in which the candidate appeared on the ballot.

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

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

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

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

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

27 (10) (a) No candidate, slate of candidates, campaign committee, ***independent***

1            expenditure-only committee, political issues committee, or contributing  
2            organization shall use or permit the use of contributions or funds solicited or  
3            received for the person or in support of or opposition to a public issue which  
4            will appear on the ballot to:

- 5            1. Further the candidacy of the person for a different public office;
- 6            2. Support or oppose a different public issue; or
- 7            3. Further the candidacy of any other person for public office.

8            (b) Nothing in this subsection shall be deemed to prohibit a candidate or slate of  
9            candidates from using funds in a campaign account to purchase admission  
10           tickets for, or contribute to, any fundraising event or testimonial affair for  
11           another candidate or slate of candidates if the amount of the purchase or  
12           contribution does not exceed the individual contribution limit contained in  
13           KRS 121.150(6) in any one (1) election~~[two hundred dollars (\$200) per event~~  
14           ~~or affair]~~.

15           (c) Any funds or contributions solicited or received by or on behalf of a  
16           candidate, slate of candidates, or any committee, which has been organized in  
17           whole or in part to further any candidacy for the same person or to support or  
18           oppose the same public issue, shall be deemed to have been solicited or  
19           received for the current candidacy or for the election on the public issue if the  
20           funds or contributions are solicited or received at any time prior to the regular  
21           election for which the candidate, slate of candidates, or public issue is on the  
22           ballot.

23           (d) Any unexpended balance of funds not otherwise obligated for the payment of  
24           expenses incurred to further a political issue or the candidacy of a person  
25           shall, in whole or in part, at the election of the candidate or committee:

- 26           1. Escheat to the State Treasury;
- 27           2. Be returned pro rata to all contributors;

- 1           3. In the case of a partisan candidate, be transferred to:
- 2           a. A caucus campaign committee; or
- 3           b. The state or county executive committee of the political party of
- 4                 which the candidate is a member;
- 5           4. Be retained to further the same public issue or to seek election to the
- 6                 same office; or
- 7           5. Be donated to any charitable, nonprofit, or educational institution
- 8                 recognized under Section 501(c)(3) of the United States Internal
- 9                 Revenue Code of 1986, as amended, and any successor thereto, from
- 10                 which the candidate or committee receives no financial benefit.
- 11 (11) If adequate and appropriate agency funds are available to implement this
- 12           subsection, electronic reporting shall be made available by the registry to all
- 13           candidates, slates of candidates, committees, contributing organizations, registered
- 14           fundraisers, and persons making independent expenditures. The electronic report
- 15           submitted to the registry shall be the official campaign finance report for audit and
- 16           other legal purposes, whether mandated or filed by choice.
- 17 (12) The date that an electronic or on-line report shall be deemed to have been filed with
- 18           the registry shall be the date on which it is received by the registry.
- 19 (13) All electronic or online filers shall affirm, under penalty of perjury, that the report
- 20           filed with the registry is complete and accurate.
- 21 (14) Filers who submit electronic campaign finance reports which are not readable, or
- 22           cannot be copied shall be deemed to not be in compliance with the requirements set
- 23           forth in this section.
- 24 (15) Beginning with the primary scheduled in calendar year 2020, and for each
- 25           subsequent election scheduled thereafter, reports required to be submitted to the
- 26           registry involving candidates, slates of candidates, committees, contributing
- 27           organizations, and independent expenditures shall be reported electronically.

- 1 (16) (a) On each form that the registry supplies for the reports required under  
2 subsections (2), (3), and (6) of this section, the registry shall include an entry  
3 reading, "No change since last report."
- 4 (b) If a person or entity that is required to report under subsection (2), (3), or (6)  
5 of this section has received no money, loans, or other things of value from any  
6 source since the date of its last report and has not authorized, incurred, or  
7 made any expenditures since that date, the person or entity may check or  
8 otherwise designate the entry that reads, "No change since last report." A  
9 person or entity designating this entry in a report shall state the balance  
10 carried forward from the last report but need not specify receipts or  
11 expenditures in further detail.

12 ➔Section 10. KRS 121.190 is amended to read as follows:

- 13 (1) All newspaper or magazine advertising, posters, circulars, billboards, handbills,  
14 sample ballots, and paid-for television or radio announcements which expressly  
15 advocate the election or defeat of a clearly identified candidate, slate of candidates,  
16 or group of candidates for nomination or election to any public office shall be  
17 identified by the words "paid for by" followed by the name and address of the  
18 individual or committee which paid for the communication; except that if paid for  
19 by a candidate, slate of candidates, or campaign committee, it shall be identified  
20 only by the words "paid for by" followed by the name of the candidate, slate of  
21 candidates, or campaign committee, whichever is applicable. For television and  
22 radio broadcasts, compliance with Federal Communications Commission  
23 regulations regarding sponsored programs and broadcasts by candidates for public  
24 office shall be considered compliance with this section.
- 25 (2) *The disclaimer described in subsection (1) of this section shall appear and be*  
26 *presented in a clear and conspicuous manner to give the reader or observer*  
27 *adequate notice of the identity of the purchaser of the communication. A*

1 disclaimer does not comply with this section if the disclaimer is difficult to read or  
2 if the placement of the disclaimer is easily overlooked.

3 (3) The provisions of subsection (1) of this section shall not apply to:

4 (a) Any news articles, editorial endorsements, opinion, or commentary writings,  
5 or letter to the editor printed in a newspaper, magazine, flyer, pamphlet, or  
6 other periodical not owned or controlled by a candidate or committee;

7 (b) Any editorial endorsements or opinions aired by a broadcast facility not  
8 owned or controlled by a candidate or committee;

9 (c) Any communication by a person made in the regular course and scope of  
10 the person's business or any communication made by a membership  
11 organization solely to members of the organization and the members'  
12 families; and

13 (d) Any communication that refers to any candidate only as part of the popular  
14 name of a bill or statute.

15 (4) (a) A person shall not use, cause or permit to be used, or continue to use any  
16 published, distributed, or broadcast political advertising containing express  
17 advocacy that the person knows does not include the disclosure required by  
18 subsection (1) of this section. A person is presumed to know that the use of  
19 political advertising is prohibited by this subsection if the registry notifies  
20 the person in writing that the use is prohibited.

21 (b) A person who learns that political advertising signs that have been  
22 distributed do not include the disclosure required by subsection (1) of this  
23 section or include a disclosure that does not comply with subsection (1) of  
24 this section does not commit a violation of this subsection if the person  
25 makes a good-faith attempt to remove or correct those signs within forty-  
26 eight (48) hours and provides the registry with proof of correction.

27 (5) The management of newspapers and magazines shall keep a one (1) year record of

1 all statements, articles, or advertisements referred to in subsection (1) of this  
2 section, that appear in their publications, however, nothing in subsection (1) of this  
3 section shall be construed to require editors or editorial writers of newspapers and  
4 magazines to identify themselves in the manner therein required with any article or  
5 editorial written by them as part of their duties as an employee or employer.

6 ➔Section 11. KRS 121.210 is amended to read as follows:

7 (1) Each candidate or slate of candidates may designate one (1) central campaign  
8 committee as a ~~candidate authorized~~ campaign committee. If so designated, the  
9 central campaign committee shall receive all reports made by any other campaign  
10 committee authorized in writing by the candidate or slate of candidates to accept  
11 contributions or make expenditures for the purpose of influencing the nomination  
12 for election, or election, of the candidate or slate of candidates who designated a  
13 central campaign committee.

14 (2) Each statement or report which a ~~candidate authorized~~ **campaign** committee is  
15 required to file with or furnish to the registry shall, if that committee is not a central  
16 campaign committee, be furnished instead to the central campaign committee for  
17 the candidate on whose behalf that committee is, or is established for the purpose  
18 of, accepting contributions or making expenditures.

19 (3) Each central campaign committee shall receive all reports and statements filed with  
20 or furnished to it by other ~~candidate authorized~~ **campaign** committees, and shall  
21 consolidate and furnish the reports and statements to the registry, together with its  
22 own reports and statements as prescribed by KRS 121.180.

23 ~~[(4) A campaign committee not authorized by, or which has been disavowed by the  
24 candidate, shall not include the name of the candidate as part of the committee's  
25 name and shall file the reports and statements with the registry as prescribed in  
26 KRS 121.180 as an unauthorized campaign committee.]~~

27 ➔Section 12. KRS 121.230 is amended to read as follows:

1 (1) (a) No state or local governing authority of a political party to which funds are  
2 remitted under KRS 141.071 to 141.073 shall use such funds other than in  
3 support of the party's candidates in a general election and for the  
4 administrative costs of maintaining a political party headquarters.

5 (b) Permissible expenditures for the administrative costs of maintaining a  
6 political party headquarters shall be limited to payments for or purchases  
7 of:

8 1. Leases, mortgages, insurance, property taxes, and legal expenses;

9 2. Appliances and fixtures;

10 3. Utilities, pest control, lawn care, security, cleaning, trash removal, and  
11 necessary equipment and supplies related thereto;

12 4. Equipment for internet, telephone, cable or satellite television, or  
13 other communications services;

14 5. Major and minor repairs to the political party headquarters, including  
15 but not limited to the facility's roof, foundation, and structure, and to  
16 the facility's plumbing, HVAC, and electrical systems; and

17 6. Office supplies, including but not limited to desks, chairs, computers,  
18 printers, copiers, paper, and ink.

19 (2) Each state or local governing authority of a political party to which funds are  
20 remitted under KRS 141.071 to 141.073 shall deposit such funds in a bank account  
21 and shall report the amount of such funds received as a separate entry on its  
22 committee report. All expenditures from such remitted funds shall be by check. A  
23 copy of each canceled check written on the account of funds remitted under KRS  
24 141.071 to 141.073 shall be retained by the state or local governing authority of the  
25 political party for a period of not less than four (4) years.

26 (3) The designated official of each state or local governing authority of a political party  
27 to which funds are remitted under KRS 141.071 to 141.073 shall maintain a current



1 record of the receipts, balance, and expenditures of the funds so remitted. In  
2 addition, the official shall, by January 31 each year, forward to the Registry of  
3 Election Finance a report of:

4 (a) The unexpended and unobligated balance of such remitted funds; and

5 (b) An itemized listing of each expenditure authorized, incurred or made from  
6 such remitted funds, indicating the amount, date, and purpose of each  
7 expenditure, regardless of the amount, and the name, address, and occupation  
8 of each person to whom an expenditure of fifty dollars (\$50) or more was  
9 made, since the date of the last report.

10 (4) The reports required by subsection (3) of this section shall be a matter of public  
11 record open to inspection by any member of the public immediately upon receipt of  
12 the report by the registry.

13 (5) The Registry of Election Finance may annually audit the accounts and records of  
14 receipts and expenditures of funds in the amount of one thousand five hundred  
15 dollars (\$1,500) or less that are remitted to each state or local governing authority  
16 of a political party under KRS 141.071 to 141.073. The registry shall annually audit  
17 the accounts and records of receipts and expenditures of funds in the amount of  
18 more than one thousand five hundred dollars (\$1,500) that are remitted to each state  
19 or local governing authority of a political party under KRS 141.071 to 141.073. The  
20 registry shall report the results of each audit conducted to the General Assembly. In  
21 the course of such audits, the registry or its authorized agents may ascertain the  
22 amount of such remitted funds on deposit in the separate bank account, required by  
23 subsection (2) of this section, of the political party audited and may audit the  
24 account on the books of the bank. No bank shall be liable for making available to  
25 the registry any of the information required under this section.

26 ➔Section 13. KRS 121.990 is amended to read as follows:

27 (1) Any corporation or any officer, agent, attorney, or employee of a corporation, who

- 1 knowingly violates any of the provisions of KRS 121.025, shall be fined not more  
2 than ten thousand dollars (\$10,000), and, in the case of individuals, be guilty of a  
3 Class D felony.
- 4 (2) Any corporation that knowingly violates any of the provisions of KRS 121.035(1)  
5 or KRS 121.310(2) shall be fined not more than ten thousand dollars (\$10,000) for  
6 each offense, and upon conviction its charter shall be forfeited or its authority to do  
7 business revoked.
- 8 (3) Any person who knowingly violates any of the provisions of KRS 121.035(2),  
9 121.045, 121.055, 121.150 to 121.230, 121.310(1), or 121.320 shall, for each  
10 offense, be guilty of a Class D felony. Violations of KRS 121.150 to 121.230 shall  
11 include, but shall not be limited to, any of the following acts or omissions:
- 12 (a) Failure to make required reports or to file reports at times specified;  
13 (b) Making any false statement or report;  
14 (c) Giving money under a fictitious name; or  
15 (d) Making any communication in violation of KRS 121.190(1).
- 16 (4) The nomination for, or election to, an office of any candidate or slate of candidates  
17 who knowingly violates any provision of KRS 121.150 to 121.220, or whose  
18 campaign treasurer knowingly violates any provision of KRS 121.150 to 121.220,  
19 with the knowledge of that candidate or slate of candidates, shall be void, and, upon  
20 a final judicial determination of guilt, the office shall be declared vacant and the  
21 officeholder shall forfeit all benefits which he would have been entitled to receive  
22 had he continued to serve, and the office or candidacy shall be filled as provided by  
23 law for the filling of a vacancy. An action to declare a vacancy under this  
24 subsection may be brought by the registry, the Attorney General, any candidate or  
25 slate of candidates for the office sought to be declared vacant, or any qualified  
26 voter.
- 27 (5) The Attorney General, Commonwealth's attorney, the registry, or any qualified

1 voter may sue for injunctive relief to compel compliance with the provisions of  
2 KRS 121.056 and KRS 121.120 to 121.230.

3 (6) The Commonwealth's attorney or county attorney for the county in which the  
4 candidate or slated candidates reside shall be the chief prosecutor upon receipt of a  
5 written request from the registry and shall prosecute any violator under this chapter.  
6 In the event he fails or refuses to prosecute a violator, upon written request from the  
7 registry, the Attorney General shall appoint a special prosecutor with full authority  
8 to carry out the provisions of this section.

9 (7) Any officeholder who knowingly violates the provisions of KRS 121.150(12) shall,  
10 upon a final judicial determination of guilt, have his office declared vacant and shall  
11 forfeit all benefits which he would have been entitled to receive had he continued to  
12 serve.

13 (8) Any Governor or any gubernatorial appointee who knowingly appoints, approves  
14 the appointment, or participates in the appointing of any person to any appointive  
15 state office or position in violation of KRS 121.056(1) shall be guilty of a Class D  
16 felony and, upon a final judicial determination of guilt, have his office declared  
17 vacant and shall forfeit all benefits which he would have been entitled to receive  
18 had he continued to serve.

19 (9) Any person who knowingly receives an appointment to any appointive state office  
20 or position in violation of KRS 121.056(1) shall be guilty of a Class D felony and,  
21 upon a final judicial determination of guilt, have his office declared vacant, forfeit  
22 all benefits which he would have been entitled to receive, and shall be ineligible to  
23 receive an appointment to a state office or position for a period of five (5) years  
24 from the date of a final judicial determination of guilt.

25 (10) Any elected or appointed state officeholder who knowingly awards or participates  
26 in the awarding of a contract with the Commonwealth of Kentucky to a person or  
27 entity in violation of KRS 121.056(2) shall be guilty of a Class D felony and, upon

1 a final judicial determination of guilt, have his office declared vacant and shall  
2 forfeit all benefits which he would have been entitled to receive had he continued to  
3 serve.

4 (11) Any person or entity who knowingly receives a contract with the Commonwealth of  
5 Kentucky in violation of KRS 121.056(2) shall be guilty of a Class D felony. Upon  
6 conviction, the contract shall be canceled, and the person or entity convicted shall  
7 be ineligible to receive a contract with the Commonwealth of Kentucky for a period  
8 of five (5) years from the date of a final judicial determination of guilt.

9 (12) Any person who knowingly violates any of the provisions of KRS 121.056(3) shall  
10 be guilty of a Class D felony.

11 (13) Any person who knowingly fails to pay a civil penalty, assessed by the registry or a  
12 judicial panel pursuant to KRS 121.140 for violation of campaign finance laws,  
13 shall be disqualified from filing for public office until such penalty is paid or the  
14 registry rules that settlement has otherwise been made.

15 (14) Any elected official who knowingly awards or participates in the awarding of a  
16 nonbid contract or whose appointee knowingly awards or participates in the  
17 awarding of a nonbid contract in violation of KRS 121.330(1) shall be guilty of a  
18 Class D felony and, upon a final judicial determination of guilt, have his office  
19 declared vacant and shall forfeit all benefits which he would have been entitled to  
20 receive had he continued to serve.

21 (15) Any entity who knowingly receives a nonbid contract with a governing authority in  
22 violation of KRS 121.330(2) shall be guilty of a Class D felony. Upon conviction,  
23 the nonbid contract shall be canceled, and the entity convicted shall be ineligible to  
24 receive a nonbid contract with a governing authority for a period of five (5) years  
25 from the date of final judicial determination of guilt.

26 (16) Any elected official who knowingly awards or participates in awarding of a nonbid  
27 contract, lease, or appointment to an office or board or whose appointee knowingly

1 awards or participates in the awarding of a nonbid contract, lease, or appointment to  
2 an office or board in violation of KRS 121.330(3) shall be guilty of a Class D  
3 felony and, upon a final judicial determination of guilt, have his office declared  
4 vacant and shall forfeit all benefits which he would have been entitled to receive  
5 had he continued to serve.

6 (17) (a) Any fundraiser who knowingly receives a nonbid contract, lease, or  
7 appointment to an office or board or any entity in which he has an interest  
8 who knowingly receives a nonbid contract or lease in violation of KRS  
9 121.330(4) shall be guilty of a Class D felony;

10 (b) Any immediate family member, employer, or employee of a fundraiser who  
11 knowingly receives a nonbid contract, lease, or appointment to an office or  
12 board in violation of KRS 121.330(4) shall be guilty of a Class D felony; and

13 (c) Upon conviction, the nonbid contract, lease, or appointment shall be canceled,  
14 and the person or entity convicted shall be ineligible to receive a nonbid  
15 contract, lease, or appointment with a governing authority for a period of five  
16 (5) years from the date of a final judicial determination of guilt.

17 (18) Any appointed or elected state office holder or any other person who knowingly  
18 violates the provisions of KRS 121.120(5) shall be guilty of a Class D felony. In the  
19 event a candidate has assumed office, upon a final judicial determination of guilt,  
20 his office shall be declared vacant and he shall forfeit all benefits which he would  
21 have been entitled to receive had he continued to serve.

22 (19) Any person who knowingly violates the provisions of KRS 121.065(1) shall be  
23 guilty of a Class A misdemeanor.

24 **(20) Any candidate, slate of candidates, or committee that fails to comply with requests**  
25 **from the registry for records necessary to conduct audits pursuant to KRS**  
26 **121.120 and Section 12 of this Act within ninety (90) days after the registry's**  
27 **request shall, unless the failure is due to reasonable cause as defined in**

1 subsection (19) of Section 2 of this Act, be fined not less than one thousand  
2 dollars (\$1,000) and no more than ten thousand dollars (\$10,000) for each full  
3 month of noncompliance. The fine shall begin on the first day of the month  
4 beginning after the expiration of the ninety (90) days.

5 ➔Section 14. KRS 67C.135 is amended to read as follows:

- 6 (1) After certification of the election at which the voters of a county containing a city  
7 of the first class have approved the consolidation of a city of the first class and the  
8 county and after receipt of the 2000 census data, a plan to divide the county into  
9 twenty-six (26) legislative council districts shall be submitted to the fiscal court in  
10 order to establish the initial boundaries of the legislative council districts for the  
11 newly consolidated government.
- 12 (2) The district plan for the legislative council shall be prepared and submitted by  
13 representatives of a department of geography from the largest public university that  
14 exists within the county.
- 15 (3) Upon submission of the plan that lays out the initial boundaries of the legislative  
16 council districts, the fiscal court shall approve the plan within thirty (30) days as  
17 submitted and without amendment.
- 18 (4) The boundaries of the districts shall be drawn so that the districts are compact and  
19 contiguous, and the population of each district shall be as nearly equal as is  
20 reasonably possible.
- 21 (5) Thereafter, and not less than every ten (10) years, the legislative council shall  
22 initiate reapportionment proceedings in May of the first year following the  
23 decennial census of the United States to review the districts and reapportion them if  
24 necessary.
- 25 (6) To initiate a reapportionment proceeding, the legislative council shall publish notice  
26 of the planned reapportionment in accordance with KRS Chapter 424.
- 27 (7) In no event shall districts be reapportioned during the period from thirty (30) days

1 prior to the last date for filing for candidacy for local government office as provided  
2 in KRS 118.165 and the regular election for candidates for local government office.

3 (8) Precinct lines shall be drawn when necessary in accordance with the provisions of  
4 law. No precinct shall be in more than one (1) district.

5 (9) Within twenty (20) days of the establishment of the districts by the legislative  
6 council, any registered voter of the county may bring an action in the Circuit Court  
7 to enforce the provisions of this section. The Circuit Court shall hear the action and,  
8 on a finding that the legislative council has violated the provisions of this section,  
9 remand the matter to the legislative council. The Circuit Court, in its discretion,  
10 may allow the prevailing party, other than the legislative council, a reasonable  
11 attorney's fee, to be paid from the treasury of the local government, as part of the  
12 costs.

13 **(10) Upon the completion of reapportionment, if legislative council district boundaries**  
14 **have changed, the county clerk shall mail each voter a notice of his or her**  
15 **current district number and council member.**

16 ➔Section 15. KRS 116.085 is amended to read as follows:

17 (1) When a voter changes his place of residence to another location within the county,  
18 the clerk shall, upon application of the voter in person, by mail, or through the  
19 Transportation Cabinet, transfer the voter's registration record to the proper  
20 precinct.

21 (2) When a registered voter changes his place of residence from one (1) precinct to  
22 another within the same county before the registration books are closed and fails to  
23 transfer his registration with the county clerk prior to the date the registration books  
24 are closed, the voter shall be permitted to update the voting records and to vote in  
25 the present election at the appropriate precinct for the current address upon  
26 affirmation of his current address and signing the precinct list as set forth in KRS  
27 117.225. Before being permitted to vote, the voter shall also confirm his identity as

1 required in KRS 117.227 and complete the affidavit which is required to be  
2 completed by a voter whose right to vote has been challenged. The subscribed oaths  
3 shall be delivered to the county clerk and investigated in accordance with KRS  
4 117.245.

5 (3) When a registered voter changes his place of residence from one (1) precinct to  
6 another precinct within the same county after the registration books close, the voter  
7 shall be permitted to vote in the present election at the appropriate precinct for the  
8 current address upon affirmation of his current address and signing the precinct list  
9 as set forth in KRS 117.225. Before being permitted to vote, the voter shall confirm  
10 his identity as required by KRS 117.227 and complete the affidavit which is  
11 required to be completed by a voter whose right to vote is challenged. The  
12 subscribed oaths shall be delivered to the county clerk and investigated in  
13 accordance with KRS 117.245.

14 (4) (a) When the boundaries of a precinct are changed by law, placing a registered  
15 voter in a new or different precinct, the clerk shall automatically transfer the  
16 voter's registration record to the proper precinct and mail the voter a notice of  
17 the change.

18 (b) When the General Assembly enacts a new redistricting plan, the clerk shall  
19 mail each voter a notice informing the voter of his or her current district  
20 number, State Representative, and State Senator.

21 (5) A voter who has changed his name may indicate the change at the precinct on  
22 election day by completing the form provided for this purpose by the State Board of  
23 Elections. The form shall be returned by the precinct officer to the county clerk who  
24 shall make the necessary change on the voter's registration record.

25 ➔Section 16. If any provision of this Act or the application thereof to any person  
26 or circumstance is held invalid, the invalidity shall not affect other provisions or  
27 applications of the Act that can be given effect without the invalid provision or



1 application, and to this end the provisions of this Act are severable.

2       ➔Section 17. Whereas, it is critically important to protect the integrity and  
3 reliability of the electoral process, and it is a reasonable legislative task to seek  
4 improvement, modernization, and transparency in campaign finance and election  
5 procedures, an emergency is declared to exist, and Section 8 of this Act takes effect upon  
6 its passage and approval by the Governor or upon its otherwise becoming a law.