

1 AN ACT relating to campaign finance 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

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Chapter 216B

2. Department for Community Based Services
 - a. Supervised placement revocation hearings conducted under authority of KRS Chapter 630
3. Department for Medicaid Services
 - a. Administrative appeal hearings following an external independent third-party review of a Medicaid managed care organization's final decision that denies, in whole or in part, a health care service to an enrollee or a claim for reimbursement to the provider for a health care service rendered by the provider to an enrollee of the Medicaid managed care organization, conducted under authority of KRS 205.646
- (c) Justice and Public Safety Cabinet
 1. Department of Kentucky State Police
 - a. Kentucky State Police Trial Board disciplinary hearings conducted under authority of KRS Chapter 16
 2. Department of Corrections
 - a. Parole Board hearings conducted under authority of KRS Chapter 439
 - b. Prison adjustment committee hearings conducted under authority of KRS Chapter 197
 - c. Prison grievance committee hearings conducted under authority of KRS Chapters 196 and 197
 3. Department of Juvenile Justice
 - a. Supervised placement revocation hearings conducted under KRS Chapter 635
- (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, political issues committee,
19 inaugural committee, caucus campaign committee, or party executive
20 committee, which is established as, or intended to be, a permanent
21 organization having as a primary purpose expressly advocating the election or
22 defeat of one (1) or more clearly identified candidates, slates of candidates, or
23 political parties, which functions on a regular basis throughout the year;

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

25 (g)~~(f)~~ "Inaugural committee," which means one (1) or more persons who
26 receive contributions and make expenditures in support of inauguration
27 activities for any candidate or slate of candidates elected to any state, county,

1 city, or district office;

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

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

11 (6) "Contribution" means any:

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

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

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

1 candidate for the office of Governor under KRS 118.365 and the time the
2 candidate designates a running mate for the office of Lieutenant Governor
3 under KRS 118.126, a slate of candidates consists of the candidate for the
4 office of Governor; and

5 (b) After that candidate has designated a running mate under KRS 118.126, that
6 same slate of candidates consists of that same candidate for the office of
7 Governor and the candidate's running mate for the office of Lieutenant
8 Governor. Unless the context requires otherwise, any provision of law that
9 applies to a candidate shall also apply to a slate of candidates;

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

13 (11) "Fundraiser" means an individual who directly solicits and secures contributions on
14 behalf of a candidate or slate of candidates for a statewide-elected state office or an
15 office in a jurisdiction with a population in excess of two hundred thousand
16 (200,000) residents;

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

25 (13) "Electronic reporting" means the use of technology, having electrical, digital,
26 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an
27 individual or other entity submits, compiles, or transmits campaign finance reports

1 to the registry, or by which the registry receives, stores, analyzes, or discloses the
2 reports;

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

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

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

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

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

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

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

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

1 but are not limited to, a person's bank records and other relevant documents, but
2 excluding individual and business income tax records.

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

8 (a) To cease and desist violations of the law;

9 (b) To file required reports or other documents or information;

10 (c) To pay a penalty not to exceed two hundred dollars (\$200)~~one hundred~~
11 ~~dollars (\$100)~~ a day, up to a maximum total fine of five thousand dollars
12 (\$5,000), for failure to file any report, payment of an administrative fee, or
13 other document or information required by law until the report, fee payment,
14 document, or information is filed; except that there shall be no maximum total
15 fine for candidates for statewide office; or

16 (d) To pay a penalty not to exceed five thousand dollars (\$5,000) per violation for
17 acts of noncompliance with provisions contained within this chapter.

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

24 (4) If the alleged violator declines to accept the conciliation agreement or fails to
25 respond within the time allowed, the registry shall conduct an administrative
26 hearing. The provisions of KRS Chapter 13B shall apply to all registry
27 administrative hearings except for the provisions of KRS 13B.030(2)(b)~~submit a~~

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

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

4 (a) To cease and desist violation of this law;

5 (b) To file any reports or other documents or information required by this law;

6 (c) To pay a penalty not to exceed two hundred dollars (\$200)~~one hundred~~
7 ~~dollars (\$100)~~ a day, up to a maximum total fine of five thousand dollars
8 (\$5,000), for failure to file any report, payment of an administrative fee, or
9 other document or information required by law until the report, fee payment,
10 document, or information is filed; except that there shall be no maximum total
11 fine for candidates for statewide office; or

12 (d) To pay a penalty not to exceed five thousand dollars (\$5,000) per violation for
13 acts of noncompliance with provisions contained within this chapter. An
14 appeal of an order shall be advanced on the docket to permit a timely
15 decision.

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

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

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

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

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

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

27 (2) Except as provided in KRS 121.180(10), the solicitation from and contributions by

1 campaign committees, independent expenditure-only committees, caucus
2 campaign committees, political issues committees, permanent committees, and
3 party executive committees to any religious, charitable, civic, eleemosynary, or
4 other causes or organizations established primarily for the public good is expressly
5 prohibited; except that it shall not be construed as a violation of this section for a
6 candidate or a slate of candidates to contribute to religious, civic, or charitable
7 groups.

8 (3) No candidate, slate of candidates, committee, or contributing organization, nor
9 anyone acting on their behalf, shall accept any anonymous contribution in excess of
10 one hundred dollars (\$100), and all anonymous contributions in excess of one
11 hundred dollars (\$100) shall be returned to the donor, if the donor can be
12 determined. If no donor is found, the contribution shall escheat to the state. No
13 candidate, slate of candidates, committee, or contributing organization, nor anyone
14 acting on their behalf shall accept anonymous contributions in excess of two
15 thousand dollars (\$2,000) in the aggregate in any one (1) election. Anonymous
16 contributions in excess of two thousand dollars (\$2,000) in the aggregate which are
17 received in any one (1) election shall escheat to the state.

18 (4) No candidate, slate of candidates, committee, or contributing organization, nor
19 anyone on their behalf, shall accept a cash contribution in excess of one hundred
20 dollars (\$100) in the aggregate from each contributor in any one (1) election. No
21 candidate, slate of candidates, committee, or contributing organization, nor anyone
22 on their behalf, shall accept a cashier's check or money order in excess of the
23 maximum cash contribution limit unless the instrument clearly identifies both the
24 payor and the payee. A contribution made by cashier's check or money order which
25 identifies both the payor and payee shall be treated as a contribution made by check
26 for purposes of the contribution limits contained in this section. No person shall
27 make a cash contribution in excess of one hundred dollars (\$100) in the aggregate

1 in any one (1) election to a candidate, slate of candidates, committee, or
2 contributing organization, nor anyone on their behalf.

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

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

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

27 (8) No permanent committee shall contribute funds to another permanent committee for

- 1 the purpose of circumventing contribution limits of subsection (6) of this section.
- 2 (9) No person shall contribute funds to a permanent committee, political issues
3 committee, or contributing organization for the purpose of circumventing the
4 contribution limits of subsection (6) of this section.
- 5 (10) No person shall contribute more than two thousand dollars (\$2,000), as indexed for
6 inflation every odd-numbered year using the preceding year's percent increase in
7 the non-seasonally adjusted annual average Consumer Price Index for all Urban
8 Consumers (CPI-U), U.S. City Average, All Items, for that year as published by the
9 United States Bureau of Labor Statistics and rounded to the nearest hundred dollars,
10 to a permanent committee or contributing organization in any one (1) year.
- 11 (11) (a) No person shall contribute more than five thousand dollars (\$5,000) to the
12 state executive committee of a political party in any one (1) year. The
13 contribution limit in this paragraph shall not apply to a contribution
14 designated exclusively for a state executive committee's building fund account
15 established under KRS 121.172.
- 16 (b) No person shall contribute more than five thousand dollars (\$5,000) to a
17 subdivision or affiliate of a state political party in any one (1) year.
- 18 (c) No person shall contribute more than five thousand dollars (\$5,000) to a
19 caucus campaign committee in any one (1) year.
- 20 (12) No person shall make a payment, distribution, loan, advance, deposit, or gift of
21 money to another person to contribute to a candidate, a slate of candidates,
22 committee, contributing organization, or anyone on their behalf. No candidate, slate
23 of candidates, committee, contributing organization, nor anyone on their behalf
24 shall accept a contribution made by one (1) person who has received a payment,
25 distribution, loan, advance, deposit, or gift of money from another person to
26 contribute to a candidate, a slate of candidates, committee, contributing
27 organization, or anyone on their behalf.

- 1 (13) Subject to the provisions of subsection (17) of this section, no candidate or slate of
2 candidates for nomination to any state, county, city, or district office, nor their
3 campaign committees, nor anyone on their behalf, shall solicit or accept
4 contributions for primary election expenses after the date of the primary. No person
5 other than the candidate or slate of candidates shall contribute for primary election
6 expenses after the date of the primary.
- 7 (14) Subject to the provisions of subsection (17) of this section, no candidate or slate of
8 candidates for any state, county, city, or district office at a regular election, nor their
9 campaign committees, nor anyone on their behalf, shall solicit or accept
10 contributions for regular election expenses after the date of the regular election. No
11 person other than the candidate or slate of candidates shall contribute for regular
12 election expenses after the date of the regular election.
- 13 (15) Subject to the provisions of subsection (17) of this section, no candidate or slate of
14 candidates for nomination or election to any state, county, city, or district office,
15 nor their campaign committees, nor anyone on their behalf, shall solicit or accept
16 contributions for special election expenses after the date of the special election. No
17 person other than the candidate or slate of candidates shall contribute for special
18 election expenses after the date of the special election.
- 19 (16) The provisions of subsections (13) and (14) of this section shall apply only to those
20 candidates in a primary or regular election which shall be conducted subsequent to
21 January 1, 1989. The provisions of subsection (15) of this section shall apply only
22 to those candidates or slates of candidates in a special election which shall be
23 conducted subsequent to January 1, 1993.
- 24 (17) A candidate, slate of candidates, or a campaign committee may solicit and accept
25 contributions after the date of a primary election, regular election, or special
26 election to defray necessary expenses that arise after the date of the election
27 associated with election contests, recounts, and recanvasses of a specific election,

1 complaints regarding alleged campaign finance violations that are filed with the
2 registry pertaining to a specific election, or other legal actions pertaining to a
3 specific election to which a candidate, slate of candidates, or campaign committee
4 is a party, and for repayment of debts and obligations owed by the campaign or
5 previous campaign for the same office. Reports of contributions received and
6 expenditures made after the date of the specific election shall be made in
7 accordance with KRS 121.180.

8 (18) No candidate, slate of candidates, committee, except a political issues committee, or
9 contributing organization, nor anyone on their behalf, shall knowingly accept a
10 contribution from a corporation, directly or indirectly, except to the extent that the
11 contribution is designated to a state executive committee's building fund account
12 established under KRS 121.172.

13 (19) Nothing in this section shall be construed to restrict the ability of a corporation to
14 administer its permanent committee insofar as its actions can be deemed not to
15 influence an election as prohibited by KRS 121.025.

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

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

27 (22) It shall be permissible for a married couple to make a contribution with one (1)

1 check that reflects the combined individual contribution limits of each individual
2 spouse per election, as set forth in subsection (6) of this section, for all elections in
3 a calendar year and the following shall be required to be written on the check:

- 4 (a) The signatures of both spouses on the signature line of the check; and
5 (b) The designation of each contribution amount and the election or elections to
6 which they apply shall be memorialized on the memo line of the check.

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

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

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

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

21 (b) Keep detailed and exact accounts of:

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

- 27 2. Contributions in excess of one hundred dollars (\$100) made to any

1 candidate, by name, address, age if under legal voting age, date of the
2 contribution, amount of the contribution, and the employer and
3 occupation of each other contributor. If the contributor is self-employed,
4 the name under which he is doing business shall be listed. The
5 occupation listed for the contributor shall be specific. A general
6 classification, such as "businessman," shall be insufficient;

7 (c) Make or authorize all expenditures on behalf of a candidate or slate of
8 candidates. Any expenditure in excess of twenty-five dollars (\$25) shall be by
9 check and the treasurer's records shall disclose the name, address, and
10 occupation of every person or firm to whom made, and shall list the date and
11 amount of the expenditure and the treasurer shall keep a receipted bill for
12 each;

13 (d) Maintain all receipted bills and accounts required by this section for a period
14 of six (6) years from the date he files his last report under KRS
15 121.180(3)(b)1.; and

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

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

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

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

27 (6) The candidate or slate of candidates may pay a campaign treasurer a salary for his

1 services which shall be considered a campaign expense and shall comply with the
2 reporting provisions of KRS 121.180 and administrative regulations promulgated
3 by the registry.

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

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

22 (2) Any person who acts as a fundraiser by directly soliciting contributions for an
23 election campaign of a candidate or slate of candidates for statewide-elected state
24 office or an office in a jurisdiction containing in excess of two hundred thousand
25 (200,000) residents shall register with the registry when he or she raises in excess of
26 three thousand dollars (\$3,000) in any one (1) election for the campaign committee
27 by filing official notice giving his or her name, address, occupation, employer or, if

1 he or she is self-employed, the name under which he or she is doing business, and
2 all candidates or slates of candidates for whom he or she is soliciting on forms
3 prescribed by the registry. A registered fundraiser shall comply with the campaign
4 finance reporting requirements of KRS 121.180(3), (4), and (5).

5 (3) All provisions of KRS 121.160 governing the duties and responsibilities of a
6 candidate, slate of candidates, or campaign treasurer shall apply to a registered
7 committee and a person acting as a campaign fundraiser, except if the
8 chairperson of the committee is a registered voter in Kentucky, the treasurer may
9 be a registered voter from any state. The provisions of KRS 121.160 shall not
10 apply to a federally registered political~~[out of state permanent]~~ committee as
11 defined in 52 U.S.C. sec. 30101(4)(a)~~[, and a person acting as a campaign~~
12 ~~fundraiser]~~. In case of the death, resignation, or removal of a campaign treasurer for
13 a permanent committee or executive committee, the chairperson of the permanent
14 committee or executive committee shall, within three (3) days after receiving notice
15 of the vacancy by certified mail, appoint a successor as treasurer for the committee
16 and file the name and address of the successor with the registry. The chairperson of
17 the permanent committee or executive committee shall be accountable as the
18 treasurer for the committee if the chairperson fails to meet this filing requirement.

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

21 (5) Any federally registered political~~[out of state permanent]~~ committee as defined in
22 52 U.S.C. sec. 30101(4)(a) that contributes to a Kentucky candidate or a slate of
23 candidates shall:

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

26 (b) File with the registry a copy of the Federal Election Commission finance
27 report when a contribution is made to, or an independent expenditure is

1 made in support or opposition of, a Kentucky candidate or a slate of
2 candidates; and

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

6 (6) Notwithstanding any provision of law to the contrary, a contribution made by a
7 federally registered political~~permanent~~ committee as defined in 52 U.S.C. sec.
8 30101(4)(a) to any candidate or to any slate of candidates for any office in this
9 Commonwealth that complies with the provisions of 52 U.S.C. sec. 30118~~2 U.S.C.~~
10 ~~sec. 441b~~, 11 C.F.R. sec. 104.10, 11 C.F.R. sec. 106.6, and 11 C.F.R. sec. 114.1-
11 114.12 regarding limitations on contributions by corporations shall be deemed to
12 comply with the campaign finance laws of this Commonwealth prohibiting
13 corporate contributions to candidates or slates of candidates.

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

16 (8) The official contact person of a permanent committee shall not be a legislative
17 agent as defined in KRS 6.611 or an executive agency lobbyist as defined in KRS
18 11A.201.

19 ➔Section 7. KRS 121.175 is amended to read as follows:

20 (1) No candidate, committee, or contributing organization shall permit funds in a
21 campaign account to be expended for any purpose other than for allowable
22 campaign expenditures. "Allowable campaign expenditures" means expenditures
23 including reimbursement for actual expenses, made directly and primarily in
24 support of or opposition to a candidate, constitutional amendment, or public
25 question which will appear on the ballot and includes, but is not limited to,
26 expenditures for staff salaries, gifts and meals for volunteer campaign workers,
27 food and beverages provided at a campaign rally, advertising, office space,

1 necessary travel if reported, campaign paraphernalia, purchases of advertisements
2 in athletic and scholastic publications, communications with constituents or
3 prospective voters, polling and consulting, printing, graphic arts, or advertising
4 services, postage, office supplies, stationery, newsletters, and equipment which is
5 used primarily for the administration of the campaign, or for fees incurred from
6 legal services while defending a matter before the Kentucky Legislative Ethics
7 Commission in which the final adjudication is rendered in favor of the candidate.
8 "Allowable campaign expenditures" does not include necessary travel unless
9 reported, expenditures of funds in a campaign account for any purpose made
10 unlawful by other provisions of the Kentucky Revised Statutes or which would
11 bestow a private pecuniary benefit, except for payment of the reasonable value of
12 goods and services provided upon a candidate, member of the candidate's family,
13 committee, or contributing organization, or any of their employees, paid or unpaid,
14 including: tickets to an event which is unrelated to a political campaign or
15 candidacy; items of personal property for distribution to prospective voters except
16 items bearing the name, likeness, or logo of a candidate or a campaign-related
17 communication; expenditures to promote or oppose a candidacy for a leadership
18 position in a governmental, professional, or political organization, or other entity;
19 and equipment or appliances the primary use of which is for purposes outside of the
20 campaign. The provisions of KRS 121.190 notwithstanding, a candidate shall not be
21 required to include a disclaimer on campaign stationery purchased with funds from
22 his campaign account. A member of the General Assembly may utilize funds in his
23 or her campaign account to contribute up to five thousand dollars (\$5,000) per year
24 to a political party or caucus campaign committee. A member of the General
25 Assembly may make allowable campaign expenditures in both election years and
26 nonelection years. *A member of the General Assembly may utilize funds in his or*
27 *her campaign account to pay for fees incurred from legal services while*

1 defending a matter arising from his or her campaign or election or the
2 performance of his or her official duties.

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

5 (3) In lieu of the penalties provided in KRS 121.140 and 121.990 for a violation of this
6 section, the registry may, after hearing:

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

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

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

20 (1) (a) Any candidate, slate of candidates, or political issues committee shall be
21 exempt from filing any campaign finance reports required by subsections (3)
22 and (4) of this section if the candidate, slate of candidates, or political issues
23 committee chair files a form prescribed and furnished by the registry stating
24 that currently no contributions have been received and that contributions will
25 not be accepted or expended in excess of three thousand dollars (\$3,000) in
26 any one (1) election. A separate form shall be required for each primary,
27 regular, or special election in which the candidate or slate of candidates

1 participates or in which the public question appears on the ballot. The form
2 shall be submitted by means of electronic filing with the registry.

3 (b) For a primary, a candidate or slate of candidates shall file a request for
4 exemption not later than the deadline for filing nomination papers and, except
5 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be
6 bound by its terms unless it is rescinded in writing not later than thirty (30)
7 days preceding the primary. For a regular election, a candidate or slate of
8 candidates shall file or rescind in writing a request for exemption not later
9 than sixty (60) days preceding the regular election, except as provided in
10 subparagraph 2. of paragraph (c) of this subsection. For a special election, a
11 candidate or slate of candidates shall file a request for exemption not later
12 than ten (10) days after the candidate or slate of candidates is nominated for a
13 special election and shall be bound by its terms unless it is rescinded in
14 writing not later than thirty (30) days preceding the special election. A
15 political issues committee chair shall file a request for exemption when the
16 committee registers with the registry and shall be bound by its terms unless it
17 is rescinded in writing not later than thirty (30) days preceding the date the
18 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 three thousand dollars (\$3,000) in an
22 election. To revoke the request for an exemption, the candidate or slate
23 of candidates shall file the appropriate form with the registry not later
24 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 and, except
8 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be
9 bound by its terms unless it is rescinded in writing not later than sixty (60)
10 days preceding the regular election. A candidate or slate of candidates that is
11 covered by this paragraph shall have the same reversion rights as those
12 provided in subparagraph 1. of paragraph (c) of this subsection.

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

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

- 1 (g) Any candidate or slate of candidates that has filed a request for exemption
2 may petition the registry to determine whether another person is campaigning
3 as a write-in candidate prior to having filed a declaration of intent to receive
4 write-in votes, and, if the registry determines upon a preponderance of the
5 evidence that a person who may later be a write-in candidate is conducting a
6 campaign, the candidate or slate of candidates, except as provided in
7 subparagraph 2. of paragraph (c) of this subsection, may petition the registry
8 to permit the candidate or slate of candidates to exercise the reversion rights
9 provided in subparagraph 1. of paragraph (c) of this subsection.
- 10 (h) If the opponent of a candidate or slate of candidates is replaced due to his or
11 her withdrawal because of death, disability, or disqualification, the candidate
12 or slate of candidates, except as provided in subparagraph 2. of paragraph (c)
13 of this subsection, may exercise the reversion rights provided in subparagraph
14 1. of paragraph (c) of this subsection not later than fifteen (15) days after the
15 party executive committee nominates a replacement for the withdrawn
16 candidate or slate of candidates.
- 17 (i) A person intending to be a write-in candidate for any office in a regular or
18 special election may execute a request for exemption under paragraph (a) of
19 this subsection and shall be bound by its terms unless it is rescinded in writing
20 not later than fifteen (15) days preceding the regular or special election. A
21 person intending to be a write-in candidate who revokes a request for
22 exemption in a timely manner shall file all reports required of a candidate
23 intending to raise or spend in excess of three thousand dollars (\$3,000) in an
24 election. Except as provided in subparagraph 2. of paragraph (c) of this
25 subsection, a person intending to be a write-in candidate who revokes a
26 request for exemption shall file the appropriate form with the registry.
- 27 (j) Except as provided in subparagraph 2. of paragraph (c) of this subsection, the

1 campaign committee of any candidate or slate of candidates that has filed a
2 request for exemption or a political issues committee whose chair has filed a
3 request for exemption shall be bound by its terms unless it is rescinded in a
4 timely manner.

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

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

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

26 2. Any candidate exempt from filing under this subsection for a primary
27 who advances to the regular election shall file for an additional

1 exemption under this section for the regular election or the candidate
2 shall no longer be exempt from the filing requirements.

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

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

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

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

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

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

27 (b) In addition to the reporting requirements in paragraph (a) of this subsection,

1 the state executive committee of a political party that has established a
2 building fund account under KRS 121.172 shall make a full report, upon a
3 prescribed form, to the registry, of all contributions received from any source,
4 and expenditures authorized, incurred, or made, since the date of the last
5 report for the separate building fund account, including:

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

- 22 (c) The report required by paragraph (a) of this subsection shall be made on a
23 semiannual basis if the committee has more than ten thousand dollars
24 (\$10,000) in its campaign fund account, and shall be received by the registry
25 by January 31 and by July 31. The January report shall cover the period from
26 July 1 to December 31. The July report shall cover the period from January 1
27 to June 30. If the committee has less than ten thousand dollars (\$10,000) in its

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

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

27 1. For each contribution of any amount made by a permanent committee,

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

- 1 slates of candidates, or following registration of the committee or
2 fundraiser, and each calendar quarter thereafter, ending with the
3 last calendar quarter of that year. The provisions of this
4 subparagraph shall be retroactive to January 1, 2021;
- 5 b. All other candidates and candidate campaign committees shall file
6 annual financial reports to be received by the registry on or before
7 December 1 for each year that a candidate is not yet on the ballot
8 but has filed a Statement of Spending Intent and Appointment of
9 Campaign Treasurer with the registry for a future-year election;
10 and
- 11 c. Candidates, slate of candidates, or committees shall make all
12 reports required by subparagraphs 2. to 5. of this paragraph during
13 the year in which the election takes place;
- 14 2. All candidates, slates of candidates, candidate-authorized and
15 unauthorized campaign committees, political issues committees, and
16 registered fundraisers shall make reports on the sixtieth day preceding a
17 regular election, including all previous contributions and expenditures;
- 18 3. All candidates, slates of candidates, candidate-authorized and
19 unauthorized campaign committees, political issues committees, and
20 registered fundraisers shall make reports on the thirtieth day preceding
21 an election, including all previous contributions and expenditures;
- 22 4. All candidates, slates of candidates, candidate-authorized and
23 unauthorized campaign committees, political issues committees, and
24 registered fundraisers shall make reports on the fifteenth day preceding
25 the date of the election; and
- 26 5. All reports to the registry shall cover campaign activity during the entire
27 reporting period and must be received by the registry within two (2)

1 business days after the date the reporting period ends to be deemed
2 timely filed.

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

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

1 purchaser is self-employed, the name under which he or she is doing business, and
2 the amount of the purchase. The lists shall be maintained by the campaign treasurer,
3 political issues committee treasurer, registered fundraiser, or other sponsor for
4 inspection by the registry for six (6) years following the date of the election.

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

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

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

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

22 (d) A complete statement of all expenditures authorized, incurred, or made,
23 including independent expenditures. This report shall be made by a permanent
24 committee, inaugural committee, or contributing organization to the registry
25 on the last day of the first calendar quarter following the registration of the
26 committee with the registry and on the last day of each succeeding calendar
27 quarter until such time as the committee terminates. A contributing

1 organization shall file a report of contributions received and expenditures on a
2 form provided or using a format approved by the registry not later than the
3 last day of each calendar quarter in which contributions are received or
4 expenditures are made. All reports to the registry shall be received on or
5 before each filing deadline, and any report received by the registry within two
6 (2) business days after each filing deadline shall be deemed timely filed.

7 (7) If the final statement of a candidate, campaign committee, or political issues
8 committee shows an unexpended balance of contributions, continuing debts and
9 obligations, or an expenditure deficit, the campaign treasurer shall file with the
10 registry a supplemental statement of contributions and expenditures not more than
11 thirty (30) days after the deadline for filing the final statement. Subsequent
12 supplemental statements shall be filed annually, to be received by the registry by
13 December 1 of each year, until the account shows no unexpended balance,
14 continuing debts and obligations, expenditures, or deficit. All post-election reports
15 to the registry shall cover campaign activity during the entire reporting period and
16 must be received by the registry within two (2) business days after the date the
17 reporting period ends to be deemed timely filed. All contributions shall be subject
18 to KRS 121.150 as of the date of the election in which the candidate appeared on
19 the ballot.

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

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

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

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

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

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

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

- 18 1. Further the candidacy of the person for a different public office;
- 19 2. Support or oppose a different public issue; or
- 20 3. Further the candidacy of any other person for public office.

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

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

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

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

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

1 submitted to the registry shall be the official campaign finance report for audit and
2 other legal purposes, whether mandated or filed by choice.

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

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

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

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

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

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

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

26 (1) (a) 1. Persons becoming a candidate as defined in subsection (8) of Section
27 2 of this Act or slate of candidates as defined in subsection (9) of

1 Section 2 of this Act, or a political issues committee as defined in
2 subsection (3)(d) of Section 2 of this Act, shall submit a form
3 prescribed and furnished by the registry indicating whether they
4 intend to raise or spend in excess of five thousand dollars (\$5,000) in
5 any one (1) election, or that contributions will not be accepted or
6 expended in excess of five thousand dollars (\$5,000) in any one (1)
7 election. Candidates and slates of candidates shall submit this form to
8 the registry within five (5) days of receiving contributions or making
9 expenditures with a view to bringing about his or her nomination or
10 election to public office, or within five (5) days of filing papers to run
11 for public office, whichever is sooner. Candidates and slates of
12 candidates who advance to a regular election following a primary
13 shall submit this form to the registry within five (5) days after the date
14 of the primary. Political issues committees shall submit the form to the
15 registry within five (5) days of meeting the definition of political issues
16 committee in subsection (3)(d) of Section 2 of this Act~~Any candidate,~~
17 ~~slate of candidates, or political issues committee shall be exempt from~~
18 ~~filing any campaign finance reports required by subsections (3) and (4)~~
19 ~~of this section if the candidate, slate of candidates, or political issues~~
20 ~~committee chair files a form prescribed and furnished by the registry~~
21 ~~stating that currently no contributions have been received and that~~
22 ~~contributions will not be accepted or expended in excess of three~~
23 ~~thousand dollars (\$3,000) in any one (1) election].~~

24 2. Each candidate, slate of candidates, or political issues committee
25 indicating that contributions will not be accepted or expended in
26 excess of five thousand dollars (\$5,000) in any one (1) election shall
27 be exempt from filing any campaign finance reports required by

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subsection (3) of this section.

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

4. Any person acting as a candidate or slate of candidates by receiving contributions or making expenditures with a view to bringing about his or her nomination or election to public office, or filing papers to run for public office, or group of persons acting as a political issues committee, who fails to file this form as required, or who fails to remedy a deficiency within five (5) days, may be fined by the registry an amount not to exceed two hundred dollars (\$200) per day, up to a maximum total fine of five thousand dollars (\$5,000).

(b) For a primary, a candidate or slate of candidates shall file a request for exemption not later than the deadline described in paragraph (a) of this subsection for filing nomination papers and, except as provided in subparagraph 2. of paragraph (c) of this subsection, shall be bound by its terms unless it is rescinded in writing not later than thirty (30) days preceding the primary. For a regular election, a candidate or slate of candidates shall file or rescind in writing a request for exemption not later than sixty (60) days preceding the regular election, except as provided in subparagraph 2. of paragraph (c) of this subsection. For a special election, a candidate or slate of candidates shall file a request for exemption not later than ten (10) days after the candidate or slate of candidates is nominated for a special election and shall be bound by its terms unless it is rescinded in writing not later than thirty (30) days preceding the special election. A political issues committee chair shall file a request for exemption when the committee registers with the

1 registry and shall be bound by its terms unless it is rescinded in writing not
2 later than thirty (30) days preceding the date the issue appears on the ballot.

- 3 (c) 1. A candidate or slate of candidates that revokes a request for exemption
4 in a timely manner shall file all reports required of a candidate intending
5 to raise or spend in excess of five thousand dollars (\$5,000)~~three~~
6 ~~thousand dollars (\$3,000)~~ in an election. To revoke the request for an
7 exemption, the candidate or slate of candidates shall file the appropriate
8 form with the registry not later than the deadline for filing a revocation.
- 9 2. A candidate or slate of candidates that is exempted from campaign
10 finance reporting requirements pursuant to paragraph (a) of this
11 subsection but who accepts contributions or makes expenditures in
12 excess of the exempted amount in an election, shall file all applicable
13 reports required for the remainder of that election, based upon the
14 amount of contributions or expenditures the candidate or slate of
15 candidates accepts or receives in that election.
- 16 (d) Any candidate or slate of candidates that is subject to a June or August filing
17 deadline and that intends to execute a request for exemption shall file the
18 appropriate request for exemption not later than the ~~filing~~ deadline described
19 in paragraph (a) of this subsection and, except as provided in subparagraph
20 2. of paragraph (c) of this subsection, shall be bound by its terms unless it is
21 rescinded in writing not later than sixty (60) days preceding the regular
22 election. A candidate or slate of candidates that is covered by this paragraph
23 shall have the same reversion rights as those provided in subparagraph 1. of
24 paragraph (c) of this subsection.
- 25 (e) Any candidate or slate of candidates that will appear on the ballot in a regular
26 election that has signed a request for exemption for that election may exercise
27 the reversion rights provided in subparagraph 1. of paragraph (c) of this

1 subsection if a candidate or slate of candidates that is subject to a June or
2 August filing deadline subsequently files in opposition to the candidate or
3 slate of candidates. Except as provided in subparagraph 2. of paragraph (c) of
4 this subsection, a candidate or slate of candidates covered by this paragraph
5 shall comply with the deadline for rescission provided in subparagraph 1. of
6 paragraph (c) of this subsection.

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

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

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

1 candidate or slate of candidates.

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

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

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

- 1 2. Except as provided in subparagraph 2. of paragraph (c) of this
2 subsection, a candidate, slate of candidates, campaign committee, or
3 political issues committee that is exempt from filing campaign finance
4 reports pursuant to paragraph (a), (d), or (i) of this subsection that
5 knowingly accepts contributions or makes expenditures in excess of the
6 applicable spending limit in any one (1) election without rescinding the
7 request for exemption in a timely manner shall comply with all
8 applicable reporting requirements and shall be guilty of a Class D
9 felony.
- 10 (1) 1. Any candidate exempt from filing under this subsection for a primary
11 shall file a report described in subsection (4) of this section.
- 12 2. Any candidate exempt from filing under this subsection for a primary
13 who advances to the regular election shall file for an additional
14 exemption under this section for the regular election or the candidate
15 shall no longer be exempt from the filing requirements.
- 16 3. In the event a candidate exempt from filing under this subsection is no
17 longer eligible for the exemption, he or she shall immediately file for a
18 revocation of the exemption under paragraph (c) of this subsection.
- 19 (2) (a) State and county executive committees, and caucus campaign committees
20 shall make a full report, upon a prescribed form, to the registry, of all money,
21 loans, or other things of value, received from any source, and expenditures
22 authorized, incurred, or made, since the date of the last report, including:
- 23 1. For each contribution of any amount made by a permanent committee,
24 the name and business address of the permanent committee, the date of
25 the contribution, the amount contributed, and a description of the major
26 business, social, or political interest represented by the permanent
27 committee;

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

- 1 3. The total amount of cash contributions received during the reporting
- 2 period; and
- 3 4. A complete statement of expenditures authorized, incurred, or made.
- 4 The complete statement of expenditures shall include the name and
- 5 address of each person to whom an expenditure is made in excess of
- 6 twenty-five dollars (\$25), and the amount, date, and purpose of each
- 7 expenditure.
- 8 (c) The report required by paragraph (a) of this subsection shall be made on a
- 9 semiannual basis if the committee has more than ten thousand dollars
- 10 (\$10,000) in its campaign fund account, and shall be received by the registry
- 11 by January 31 and by July 31. The January report shall cover the period from
- 12 July 1 to December 31. The July report shall cover the period from January 1
- 13 to June 30. If the committee has less than ten thousand dollars (\$10,000) in its
- 14 campaign fund account the report required by paragraph (a) of this subsection
- 15 shall be made on an annual basis, and shall be received by the registry by
- 16 January 31. If an individual gives a reportable contribution to a caucus
- 17 campaign committee or to a state or county executive committee with the
- 18 intention that the contribution or a portion of the contribution go to a
- 19 candidate or slate of candidates, the name of the contributor and the sum shall
- 20 be indicated on the committee report. The report required by paragraph (b) of
- 21 this subsection relating to a state executive committee's building fund account
- 22 shall be received by the registry within two (2) business days after the close of
- 23 each calendar quarter. The receipts and expenditures of funds remitted to each
- 24 political party under KRS 141.071 to 141.073 shall be separately accounted
- 25 for and reported to the registry in the manner required by KRS 121.230. The
- 26 separate report may be made a separate section within the report required by
- 27 this subsection to be received by the registry by January 31.

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

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

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

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

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

22 b. All other candidates and~~[candidate]~~ campaign committees shall
23 file annual financial reports to be received by the registry on or
24 before December 1 for each year that a candidate is not yet on the
25 ballot but has filed a *form as described in subsection (1)(a) of this*
26 *section*~~[Statement of Spending Intent and Appointment of~~
27 ~~Campaign Treasurer]~~ with the registry for a future-year election;

1 and

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

5 2. All candidates, slates of candidates, ~~[candidate authorized and~~
6 ~~unauthorized]~~ campaign committees, **independent expenditure-only**
7 **committees**, political issues committees, and registered fundraisers shall
8 make reports on the sixtieth day preceding a regular election, including
9 all previous contributions and expenditures;

10 3. All candidates, slates of candidates, ~~[candidate authorized and~~
11 ~~unauthorized]~~ campaign committees, **independent expenditure-only**
12 **committees**, political issues committees, and registered fundraisers shall
13 make reports on the thirtieth day preceding an election, including all
14 previous contributions and expenditures;

15 4. All candidates, slates of candidates, ~~[candidate authorized and~~
16 ~~unauthorized]~~ campaign committees, **independent expenditure-only**
17 **committees**, political issues committees, and registered fundraisers shall
18 make reports on the fifteenth day preceding the date of the election; and

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

23 (4) ~~[Except for candidates, slates of candidates, and political issues committees,~~
24 ~~exempted pursuant to subsection (1)(a) of this section,]~~ All candidates, regardless of
25 funds received or expended, ~~[candidate authorized and unauthorized]~~ campaign
26 committees, **independent expenditure-only committees**, political issues
27 committees, and registered fundraisers shall make post-election reports within thirty

1 (30) days after the election. 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. *For candidates, slates of candidates, and political issues*
5 *committees otherwise exempt under subsection (1)(a) of this section, the reporting*
6 *period begins the day the request for exemption is filed with the registry and*
7 *continues through the thirtieth day after the election.*

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

1 inspection by the registry for six (6) years following the date of the election.

- 2 (6) Each permanent committee, except a federally registered political~~permanent~~
3 committee as defined in 52 U.S.C. sec. 30101(4)(a), inaugural committee, or
4 contributing organization shall make a full report to the registry, on a form provided
5 or using a format approved by the registry, of all money, loans, or other things of
6 value, received by it from any source, and all expenditures authorized, incurred, or
7 made, since the date of the last report, including:
- 8 (a) For each contribution of any amount made by a permanent committee, the
9 name and business address of the permanent committee, the date of the
10 contribution, the amount contributed, and a description of the major business,
11 social, or political interest represented by the permanent committee;
- 12 (b) For other contributions in excess of one hundred dollars (\$100), the full name,
13 address, age if under the legal voting age, 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 he or
16 she is doing business shall be listed;
- 17 (c) An aggregate amount of cash contributions, the amount contributed by each
18 contributor, and the date of each contribution; and
- 19 (d) A complete statement of all expenditures authorized, incurred, or made,
20 including independent expenditures. This report shall be made by a permanent
21 committee, inaugural committee, or contributing organization to the registry
22 on the last day of the first calendar quarter following the registration of the
23 committee with the registry and on the last day of each succeeding calendar
24 quarter until such time as the committee terminates. A contributing
25 organization shall file a report of contributions received and expenditures on a
26 form provided or using a format approved by the registry not later than the
27 last day of each calendar quarter in which contributions are received or

1 expenditures are made. All reports to the registry shall be received on or
2 before each filing deadline, and any report received by the registry within two
3 (2) business days after each filing deadline shall be deemed timely filed.

4 (7) If the final statement of a candidate, campaign committee, independent
5 expenditure-only committee, or political issues committee shows an unexpended
6 balance of contributions, continuing debts and obligations, or an expenditure
7 deficit, the campaign treasurer shall file with the registry a supplemental statement
8 of contributions and expenditures not more than thirty (30) days after the deadline
9 for filing the final statement. Subsequent supplemental statements shall be filed
10 annually, to be received by the registry by December 1 of each year, until the
11 account shows no unexpended balance, continuing debts and obligations,
12 expenditures, or deficit. All post-election reports to the registry shall cover
13 campaign activity during the entire reporting period and must be received by the
14 registry within two (2) business days after the date the reporting period ends to be
15 deemed timely filed. All contributions shall be subject to KRS 121.150 as of the
16 date of the election in which the candidate appeared on the ballot.

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

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

23 (a) Within five (5) business days after personally receiving any contributions, the
24 candidate or slate of candidates shall surrender possession of the contributions
25 to the treasurer of their ~~principal~~ campaign committee without expending
26 any of the proceeds thereof. No contributions shall be commingled with the
27 candidate's or slated candidates' personal funds or accounts. Contributions

1 received by check, money order, or other written instrument shall be endorsed
2 directly to the campaign committee and shall not be cashed or redeemed by
3 the candidate;

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

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

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

- 16 1. Further the candidacy of the person for a different public office;
- 17 2. Support or oppose a different public issue; or
- 18 3. Further the candidacy of any other person for public office.

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

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

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

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

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

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

- 1 (12) The date that an electronic or on-line report shall be deemed to have been filed with
2 the registry shall be the date on which it is received by the registry.
- 3 (13) All electronic or online filers shall affirm, under penalty of perjury, that the report
4 filed with the registry is complete and accurate.
- 5 (14) Filers who submit electronic campaign finance reports which are not readable, or
6 cannot be copied shall be deemed to not be in compliance with the requirements set
7 forth in this section.
- 8 (15) Beginning with the primary scheduled in calendar year 2020, and for each
9 subsequent election scheduled thereafter, reports required to be submitted to the
10 registry involving candidates, slates of candidates, committees, contributing
11 organizations, and independent expenditures shall be reported electronically.
- 12 (16) (a) On each form that the registry supplies for the reports required under
13 subsections (2), (3), and (6) of this section, the registry shall include an entry
14 reading, "No change since last report."
- 15 (b) If a person or entity that is required to report under subsection (2), (3), or (6)
16 of this section has received no money, loans, or other things of value from any
17 source since the date of its last report and has not authorized, incurred, or
18 made any expenditures since that date, the person or entity may check or
19 otherwise designate the entry that reads, "No change since last report." A
20 person or entity designating this entry in a report shall state the balance
21 carried forward from the last report but need not specify receipts or
22 expenditures in further detail.

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

- 24 (1) All newspaper or magazine advertising, posters, circulars, billboards, handbills,
25 sample ballots, and paid-for television or radio announcements which expressly
26 advocate the election or defeat of a clearly identified candidate, slate of candidates,
27 or group of candidates for nomination or election to any public office shall be

1 identified by the words "paid for by" followed by the name and address of the
2 individual or committee which paid for the communication; except that if paid for
3 by a candidate, slate of candidates, or campaign committee, it shall be identified
4 only by the words "paid for by" followed by the name of the candidate, slate of
5 candidates, or campaign committee, whichever is applicable. For television and
6 radio broadcasts, compliance with Federal Communications Commission
7 regulations regarding sponsored programs and broadcasts by candidates for public
8 office shall be considered compliance with this section.

9 (2) *The disclaimer described in subsection (1) of this section shall appear and be*
10 *presented in a clear and conspicuous manner to give the reader or observer*
11 *adequate notice of the identity of the purchaser of the communication. A*
12 *disclaimer does not comply with this section if the disclaimer is difficult to read or*
13 *if the placement of the disclaimer is easily overlooked.*

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

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

18 (b) *Any editorial endorsements or opinions aired by a broadcast facility not*
19 *owned or controlled by a candidate or committee;*

20 (c) *Any communication by a person made in the regular course and scope of*
21 *the person's business or any communication made by a membership*
22 *organization solely to members of the organization and the members'*
23 *families; and*

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

26 (4) (a) *A person shall not use, cause or permit to be used, or continue to use any*
27 *published, distributed, or broadcast political advertising containing express*

1 advocacy that the person knows does not include the disclosure required by
 2 subsection (1) of this section. A person is presumed to know that the use of
 3 political advertising is prohibited by this subsection if the registry notifies
 4 the person in writing that the use is prohibited.

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

11 **(5)** The management of newspapers and magazines shall keep a one (1) year record of
 12 all statements, articles, or advertisements referred to in subsection (1) of this
 13 section, that appear in their publications, however, nothing in subsection (1) of this
 14 section shall be construed to require editors or editorial writers of newspapers and
 15 magazines to identify themselves in the manner therein required with any article or
 16 editorial written by them as part of their duties as an employee or employer.

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

18 (1) Each candidate or slate of candidates may designate one (1) central campaign
 19 committee as a ~~candidate authorized~~ campaign committee. If so designated, the
 20 central campaign committee shall receive all reports made by any other campaign
 21 committee authorized in writing by the candidate or slate of candidates to accept
 22 contributions or make expenditures for the purpose of influencing the nomination
 23 for election, or election, of the candidate or slate of candidates who designated a
 24 central campaign committee.

25 (2) Each statement or report which a ~~candidate authorized~~ **campaign** committee is
 26 required to file with or furnish to the registry shall, if that committee is not a central
 27 campaign committee, be furnished instead to the central campaign committee for

1 the candidate on whose behalf that committee is, or is established for the purpose
2 of, accepting contributions or making expenditures.

3 (3) Each central campaign committee shall receive all reports and statements filed with
4 or furnished to it by other~~[- candidate-authorized]~~ **campaign** committees, and shall
5 consolidate and furnish the reports and statements to the registry, together with its
6 own reports and statements as prescribed by KRS 121.180.

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

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

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

16 **(b) Permissible expenditures for the administrative costs of maintaining a**
17 **political party headquarters shall be limited to payments for or purchases**
18 **of:**

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

20 **2. Appliances and fixtures;**

21 **3. Utilities, pest control, lawn care, security, cleaning, trash removal, and**
22 **necessary equipment and supplies related thereto;**

23 **4. Equipment for internet, telephone, cable or satellite television, or**
24 **other communications services;**

25 **5. Major and minor repairs to the political party headquarters, including**
26 **but not limited to the facility's roof, foundation, and structure, and to**
27 **the facility's plumbing, HVAC, and electrical systems; and**

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

- 3 (2) Each state or local governing authority of a political party to which funds are
4 remitted under KRS 141.071 to 141.073 shall deposit such funds in a bank account
5 and shall report the amount of such funds received as a separate entry on its
6 committee report. All expenditures from such remitted funds shall be by check. A
7 copy of each canceled check written on the account of funds remitted under KRS
8 141.071 to 141.073 shall be retained by the state or local governing authority of the
9 political party for a period of not less than four (4) years.
- 10 (3) The designated official of each state or local governing authority of a political party
11 to which funds are remitted under KRS 141.071 to 141.073 shall maintain a current
12 record of the receipts, balance, and expenditures of the funds so remitted. In
13 addition, the official shall, by January 31 each year, forward to the Registry of
14 Election Finance a report of:
- 15 (a) The unexpended and unobligated balance of such remitted funds; and
16 (b) An itemized listing of each expenditure authorized, incurred or made from
17 such remitted funds, indicating the amount, date, and purpose of each
18 expenditure, regardless of the amount, and the name, address, and occupation
19 of each person to whom an expenditure of fifty dollars (\$50) or more was
20 made, since the date of the last report.
- 21 (4) The reports required by subsection (3) of this section shall be a matter of public
22 record open to inspection by any member of the public immediately upon receipt of
23 the report by the registry.
- 24 (5) The Registry of Election Finance may annually audit the accounts and records of
25 receipts and expenditures of funds in the amount of one thousand five hundred
26 dollars (\$1,500) or less that are remitted to each state or local governing authority
27 of a political party under KRS 141.071 to 141.073. The registry shall annually audit

1 the accounts and records of receipts and expenditures of funds in the amount of
2 more than one thousand five hundred dollars (\$1,500) that are remitted to each state
3 or local governing authority of a political party under KRS 141.071 to 141.073. The
4 registry shall report the results of each audit conducted to the General Assembly. In
5 the course of such audits, the registry or its authorized agents may ascertain the
6 amount of such remitted funds on deposit in the separate bank account, required by
7 subsection (2) of this section, of the political party audited and may audit the
8 account on the books of the bank. No bank shall be liable for making available to
9 the registry any of the information required under this section.

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

- 11 (1) Any corporation or any officer, agent, attorney, or employee of a corporation, who
12 knowingly violates any of the provisions of KRS 121.025, shall be fined not more
13 than ten thousand dollars (\$10,000), and, in the case of individuals, be guilty of a
14 Class D felony.
- 15 (2) Any corporation that knowingly violates any of the provisions of KRS 121.035(1)
16 or KRS 121.310(2) shall be fined not more than ten thousand dollars (\$10,000) for
17 each offense, and upon conviction its charter shall be forfeited or its authority to do
18 business revoked.
- 19 (3) Any person who knowingly violates any of the provisions of KRS 121.035(2),
20 121.045, 121.055, 121.150 to 121.230, 121.310(1), or 121.320 shall, for each
21 offense, be guilty of a Class D felony. Violations of KRS 121.150 to 121.230 shall
22 include, but shall not be limited to, any of the following acts or omissions:
- 23 (a) Failure to make required reports or to file reports at times specified;
24 (b) Making any false statement or report;
25 (c) Giving money under a fictitious name; or
26 (d) Making any communication in violation of KRS 121.190(1).
- 27 (4) The nomination for, or election to, an office of any candidate or slate of candidates

1 who knowingly violates any provision of KRS 121.150 to 121.220, or whose
2 campaign treasurer knowingly violates any provision of KRS 121.150 to 121.220,
3 with the knowledge of that candidate or slate of candidates, shall be void, and, upon
4 a final judicial determination of guilt, the office shall be declared vacant and the
5 officeholder shall forfeit all benefits which he would have been entitled to receive
6 had he continued to serve, and the office or candidacy shall be filled as provided by
7 law for the filling of a vacancy. An action to declare a vacancy under this
8 subsection may be brought by the registry, the Attorney General, any candidate or
9 slate of candidates for the office sought to be declared vacant, or any qualified
10 voter.

11 (5) The Attorney General, Commonwealth's attorney, the registry, or any qualified
12 voter may sue for injunctive relief to compel compliance with the provisions of
13 KRS 121.056 and KRS 121.120 to 121.230.

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

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

24 (8) Any Governor or any gubernatorial appointee who knowingly appoints, approves
25 the appointment, or participates in the appointing of any person to any appointive
26 state office or position in violation of KRS 121.056(1) shall be guilty of a Class D
27 felony and, upon a final judicial determination of guilt, have his office declared

1 vacant and shall forfeit all benefits which he would have been entitled to receive
2 had he continued to serve.

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

9 (10) Any elected or appointed state officeholder who knowingly awards or participates
10 in the awarding of a contract with the Commonwealth of Kentucky to a person or
11 entity in violation of KRS 121.056(2) shall be guilty of a Class D felony and, upon
12 a final judicial determination of guilt, have his office declared vacant and shall
13 forfeit all benefits which he would have been entitled to receive had he continued to
14 serve.

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

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

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

26 (14) Any elected official who knowingly awards or participates in the awarding of a
27 nonbid contract or whose appointee knowingly awards or participates in the

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

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

10 (16) Any elected official who knowingly awards or participates in awarding of a nonbid
11 contract, lease, or appointment to an office or board or whose appointee knowingly
12 awards or participates in the awarding of a nonbid contract, lease, or appointment to
13 an office or board in violation of KRS 121.330(3) shall be guilty of a Class D
14 felony and, upon a final judicial determination of guilt, have his office declared
15 vacant and shall forfeit all benefits which he would have been entitled to receive
16 had he continued to serve.

17 (17) (a) Any fundraiser who knowingly receives a nonbid contract, lease, or
18 appointment to an office or board or any entity in which he has an interest
19 who knowingly receives a nonbid contract or lease in violation of KRS
20 121.330(4) shall be guilty of a Class D felony;

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

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

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

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

8 **(20) Any candidate, slate of candidates, or committee that fails to comply with requests**
9 **from the registry for records necessary to conduct audits pursuant to KRS**
10 **121.120 and Section 12 of this Act within ninety (90) days after the registry's**
11 **request shall, unless the failure is due to reasonable cause as defined in**
12 **subsection (19) of Section 2 of this Act, be fined not less than one thousand**
13 **dollars (\$1,000) and no more than ten thousand dollars (\$10,000) for each full**
14 **month of noncompliance. The fine shall begin on the first day of the month**
15 **beginning after the expiration of the ninety (90) days.**

16 **(21) Any person acting as a candidate or slate of candidates by receiving contributions**
17 **or making expenditures with a view to bringing about his or her nomination or**
18 **election to public office, or filing papers to run for public office, or group of**
19 **persons acting as a political issues committee, who knowingly fails to file the**
20 **form described in subsection (1)(a) of Section 9 of this Act, or who knowingly**
21 **files a form containing false information or to omit required information, shall be**
22 **guilty of a Class D felony.**

23 ➔Section 14. If any provision of this Act or the application thereof to any person
24 or circumstance is held invalid, the invalidity shall not affect other provisions or
25 applications of the Act that can be given effect without the invalid provision or
26 application, and to this end the provisions of this Act are severable.

27 ➔Section 15. Whereas, it is critically important to protect the integrity and

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