

1 AN ACT relating to campaign finance.

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

3 ➔Section 1. KRS 121.150 is amended to read as follows:

- 4 (1) No contribution shall be made or received, directly or indirectly, other than an  
5 independent expenditure, to support inauguration activities or to support or defeat a  
6 candidate, slate of candidates, constitutional amendment, or public question which  
7 will appear on the ballot in an election, except through the duly appointed campaign  
8 manager, or campaign treasurer of the candidate, slate of candidates, or registered  
9 committee. Any person making an independent expenditure, shall report these  
10 expenditures when the expenditures by that person exceed five hundred dollars  
11 (\$500) in the aggregate in any one (1) election, on a form provided or using a  
12 format approved by the registry and shall sign a statement on the form, under  
13 penalty of perjury, that the expenditure was an actual independent expenditure and  
14 that there was no prior communication with the campaign on whose behalf it was  
15 made.
- 16 (2) Except as provided in KRS 121.180(10), the solicitation from and contributions by  
17 campaign committees, caucus campaign committees, political issues committees,  
18 permanent committees, and party executive committees to any religious, charitable,  
19 civic, eleemosynary, or other causes or organizations established primarily for the  
20 public good is expressly prohibited; except that it shall not be construed as a  
21 violation of this section for a candidate or a slate of candidates to contribute to  
22 religious, civic, or charitable groups.
- 23 (3) No candidate, slate of candidates, committee, or contributing organization, nor  
24 anyone acting on their behalf, shall accept any anonymous contribution in excess of  
25 **two hundred dollars (\$200)**~~one hundred dollars (\$100)~~, and all anonymous  
26 contributions in excess of **two hundred dollars (\$200)**~~one hundred dollars (\$100)~~  
27 shall be returned to the donor, if the donor can be determined. If no donor is found,

1 the contribution shall escheat to the state. No candidate, slate of candidates,  
2 committee, or contributing organization, nor anyone acting on their behalf shall  
3 accept anonymous contributions in excess of two thousand dollars (\$2,000) in the  
4 aggregate in any one (1) election. Anonymous contributions in excess of two  
5 thousand dollars (\$2,000) in the aggregate which are received in any one (1)  
6 election shall escheat to the state.

7 (4) No candidate, slate of candidates, committee, or contributing organization, nor  
8 anyone on their behalf, shall accept a cash contribution in excess of **two hundred**  
9 **dollars (\$200)**~~one hundred dollars (\$100)]~~ in the aggregate from each contributor  
10 in any one (1) election. No candidate, slate of candidates, committee, or  
11 contributing organization, nor anyone on their behalf, shall accept a cashier's check  
12 or money order in excess of the maximum cash contribution limit unless the  
13 instrument clearly identifies both the payor and the payee. A contribution made by  
14 cashier's check or money order which identifies both the payor and payee shall be  
15 treated as a contribution made by check for purposes of the contribution limits  
16 contained in this section. No person shall make a cash contribution in excess of **two**  
17 **hundred dollars (\$200)**~~one hundred dollars (\$100)]~~ in the aggregate in any one (1)  
18 election to a candidate, slate of candidates, committee, or contributing organization,  
19 nor anyone on their behalf.

20 (5) No candidate, slate of candidates, committee, contributing organization, nor anyone  
21 on their behalf, shall accept any contribution in excess of **two hundred dollars**  
22 **(\$200)**~~one hundred dollars (\$100)]~~ from any person who shall not become eighteen  
23 (18) years of age on or before the day of the next general election.

24 (6) ~~Except as provided in subsection (22) of this section, no candidate, slate of~~  
25 ~~candidates, campaign committee, nor anyone acting on their behalf, shall accept a~~  
26 ~~contribution of more than two thousand dollars (\$2,000) as indexed for inflation~~  
27 ~~every odd numbered year using the preceding year's percent increase in the non-~~

1       ~~seasonally adjusted annual average Consumer Price Index for all Urban Consumers~~  
2       ~~(CPI-U), U.S. City Average, All Items, for that year as published by the United~~  
3       ~~States Bureau of Labor Statistics and rounded to the nearest hundred dollars, from~~  
4       ~~any person, permanent committee, or contributing organization in any one (1)~~  
5       ~~election. No person, permanent committee, or contributing organization shall~~  
6       ~~contribute more than two thousand dollars (\$2,000) as indexed for inflation every~~  
7       ~~odd-numbered year using the preceding year's percent increase in the non-~~  
8       ~~seasonally adjusted annual average Consumer Price Index for all Urban Consumers~~  
9       ~~(CPI-U), U.S. City Average, All Items, as published by the United States Bureau of~~  
10       ~~Labor Statistics and rounded to the nearest hundred dollars, to any one (1)~~  
11       ~~candidate, campaign committee, nor anyone acting on their behalf, in any one (1)~~  
12       ~~election.~~

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

17       ~~(8) No permanent committee shall contribute funds to another permanent committee for~~  
18       ~~the purpose of circumventing contribution limits of subsection (6) of this section.~~

19       ~~(9) No person shall contribute funds to a permanent committee, political issues~~  
20       ~~committee, or contributing organization for the purpose of circumventing the~~  
21       ~~contribution limits of subsection (6) of this section.~~

22       ~~(10) No person shall contribute more than two thousand dollars (\$2,000) as indexed for~~  
23       ~~inflation every odd-numbered year using the preceding year's percent increase in~~  
24       ~~the non-seasonally adjusted annual average Consumer Price Index for all Urban~~  
25       ~~Consumers (CPI-U), U.S. City Average, All Items, for that year as published by the~~  
26       ~~United States Bureau of Labor Statistics and rounded to the nearest hundred dollars,~~  
27       ~~to a permanent committee or contributing organization in any one (1) year.~~

1 ~~(11) (a) No person shall contribute more than five thousand dollars (\$5,000) to the~~  
2 ~~state executive committee of a political party in any one (1) year. The contribution~~  
3 ~~limit in this paragraph shall not apply to a contribution designated exclusively for a~~  
4 ~~state executive committee's building fund account established under KRS 121.172.~~

5 ~~(b) No person shall contribute more than five thousand dollars (\$5,000) to a~~  
6 ~~subdivision or affiliate of a state political party in any one (1) year.~~

7 ~~(c) No person shall contribute more than five thousand dollars (\$5,000) to a~~  
8 ~~caucus campaign committee in any one (1) year.~~

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

17 ~~(7)(13)~~ Subject to the provisions of subsection ~~(10)(17)~~ of this section, no candidate  
18 or slate of candidates for nomination to any state, county, city, or district office, nor  
19 their campaign committees, nor anyone on their behalf, shall solicit or accept  
20 contributions for primary election expenses after the date of the primary. No person  
21 other than the candidate or slate of candidates shall contribute for primary election  
22 expenses after the date of the primary.

23 ~~(8)(14)~~ Subject to the provisions of subsection ~~(10)(17)~~ of this section, no candidate  
24 or slate of candidates for any state, county, city, or district office at a regular  
25 election, nor their campaign committees, nor anyone on their behalf, shall solicit or  
26 accept contributions for regular election expenses after the date of the regular  
27 election. No person other than the candidate or slate of candidates shall contribute

1 for regular election expenses after the date of the regular election.

2 ~~(9)~~~~(15)~~ Subject to the provisions of subsection ~~(10)~~~~(17)~~ of this section, no candidate  
3 or slate of candidates for nomination or election to any state, county, city, or district  
4 office, nor their campaign committees, nor anyone on their behalf, shall solicit or  
5 accept contributions for special election expenses after the date of the special  
6 election. No person other than the candidate or slate of candidates shall contribute  
7 for special election expenses after the date of the special election.

8 ~~[(16) The provisions of subsections (13) and (14) of this section shall apply only to those~~  
9 ~~candidates in a primary or regular election which shall be conducted subsequent to~~  
10 ~~January 1, 1989. The provisions of subsection (15) of this section shall apply only~~  
11 ~~to those candidates or slates of candidates in a special election which shall be~~  
12 ~~conducted subsequent to January 1, 1993.]~~

13 ~~(10)~~~~(17)~~ A candidate, slate of candidates, or a campaign committee may solicit and  
14 accept contributions after the date of a primary election, regular election, or special  
15 election to defray necessary expenses that arise after the date of the election  
16 associated with election contests, recounts, and recanvasses of a specific election,  
17 complaints regarding alleged campaign finance violations that are filed with the  
18 registry pertaining to a specific election, or other legal actions pertaining to a  
19 specific election to which a candidate, slate of candidates, or campaign committee  
20 is a party, and for repayment of debts and obligations owed by the campaign.  
21 Reports of contributions received and expenditures made after the date of the  
22 specific election shall be made in accordance with KRS 121.180.

23 ~~(11)~~~~(18)~~ No candidate, slate of candidates, committee, except a political issues  
24 committee, or contributing organization, nor anyone on their behalf, shall  
25 knowingly accept a contribution from a corporation, directly or indirectly, except to  
26 the extent that the contribution is designated to a state executive committee's  
27 building fund account established under KRS 121.172.

1 ~~(12)~~~~(19)~~ Nothing in this section shall be construed to restrict the ability of a  
2 corporation to administer its permanent committee insofar as its actions can be  
3 deemed not to influence an election as prohibited by KRS 121.025.

4 ~~(13)~~~~(20)~~ No candidate, slate of candidates, or committee, nor anyone on their behalf,  
5 shall solicit a contribution of money or services from a state employee, whether or  
6 not the employee is covered by the classified service provisions of KRS Chapter  
7 18A. However, it shall not be a violation of this subsection for a state employee to  
8 receive a solicitation directed to him as a registered voter in an identified precinct as  
9 part of an overall plan to contact voters not identified as state employees.

10 ~~(14)~~~~(21)~~ No candidate or slate of candidates for any office in this state shall accept a  
11 contribution, including an in-kind contribution, which is made from funds in a  
12 federal campaign account. No person shall make a contribution, including an in-  
13 kind contribution, from funds in a federal campaign account to any candidate or  
14 slate of candidates for any office in this state.

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

19 ~~(a) The signatures of both spouses on the signature line of the check; and~~  
20 ~~(b) The designation of each contribution amount and the election or elections to~~  
21 ~~which they apply shall be memorialized on the memo line of the check.]~~

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

23 As used in this chapter:

- 24 (1) "Registry" means the Kentucky Registry of Election Finance;
- 25 (2) "Election" means any primary, regular, or special election to fill vacancies  
26 regardless of whether a candidate or slate of candidates is opposed or unopposed in  
27 an election. Each primary, regular, or special election shall be considered a separate

1 election;

2 (3) "Committee" includes the following:

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

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

- 17 1. House Democratic caucus campaign committee;
- 18 2. House Republican caucus campaign committee;
- 19 3. Senate Democratic caucus campaign committee;
- 20 4. Senate Republican caucus campaign committee; or
- 21 5. Subdivisions of the state executive committee of a minor political party,  
22 which serve the same function as the above-named committees, as  
23 determined by regulations promulgated by the registry;

24 (c) "Political issues committee," which means three (3) or more persons joining  
25 together to advocate or oppose a constitutional amendment or public question  
26 which appears on the ballot if that committee receives or expends money in  
27 excess of one thousand dollars (\$1,000);

- 1 (d) "Permanent committee," which means a group of individuals, including an  
2 association, committee, or organization, other than a campaign committee,  
3 political issues committee, inaugural committee, caucus campaign committee,  
4 or party executive committee, which is established as, or intended to be, a  
5 permanent organization having as a primary purpose expressly advocating the  
6 election or defeat of one (1) or more clearly identified candidates, slates of  
7 candidates, or political parties, which functions on a regular basis throughout  
8 the year;
- 9 (e) An executive committee of a political party; and
- 10 (f) "Inaugural committee," which means one (1) or more persons who receive  
11 contributions and make expenditures in support of inauguration activities for  
12 any candidate or slate of candidates elected to any state, county, city, or  
13 district office;
- 14 (4) "Contributing organization" means a group which merely contributes to candidates,  
15 slates of candidates, campaign committees, caucus campaign committees, or  
16 executive committees from time to time from funds derived solely from within the  
17 group, and which does not solicit or receive funds from sources outside the group  
18 itself. Any contributions made by the groups in excess of one hundred dollars  
19 (\$100) shall be reported to the registry;
- 20 (5) "Testimonial affair" means an affair held in honor of a person who holds or who is  
21 or was a candidate for nomination or election to a political office in this state  
22 designed to raise funds for any purpose not charitable, religious, or educational;
- 23 (6) "Contribution" means any:
- 24 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,  
25 to a candidate, his or her agent, a slate of candidates, its authorized agent, a  
26 committee, or contributing organization. As used in this subsection, "loan"  
27 shall include a guarantee, endorsement, or other form of security where the



1 risk of nonpayment rests with the surety, guarantor, or endorser, as well as  
2 with a committee, contributing organization, candidate, slate of candidates, or  
3 other primary obligor. No person shall become liable as surety, endorser, or  
4 guarantor for any sum in any one (1) election which ~~[when combined with all~~  
5 ~~other contributions the individual makes to a candidate, his or her agent, a~~  
6 ~~slate of candidates, its agent, a committee, or a contributing organization,]~~  
7 exceeds the amount of the loan ~~[contribution limits provided in KRS~~  
8 ~~121.150];~~

9 (b) Payment by any person other than the candidate, his or her authorized  
10 treasurer, a slate of candidates, its authorized treasurer, a committee, or a  
11 contributing organization, of compensation for the personal services of  
12 another person which are rendered to a candidate, slate of candidates,  
13 committee, or contributing organization, or for inauguration activities;

14 (c) Goods, advertising, or services with a value of more than one hundred dollars  
15 (\$100) in the aggregate in any one (1) election which are furnished to a  
16 candidate, slate of candidates, committee, or contributing organization or for  
17 inauguration activities without charge, or at a rate which is less than the rate  
18 normally charged for the goods or services; or

19 (d) Payment by any person other than a candidate, his or her authorized treasurer,  
20 a slate of candidates, its authorized treasurer, a committee, or contributing  
21 organization for any goods or services with a value of more than one hundred  
22 dollars (\$100) in the aggregate in any one (1) election which are utilized by a  
23 candidate, slate of candidates, committee, or contributing organization, or for  
24 inauguration activities;

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

27 (a) Services provided without compensation by individuals volunteering a portion

- 1           or all of their time on behalf of a candidate, a slate of candidates, committee,  
2           or contributing organization;
- 3           (b) A loan of money by any financial institution doing business in Kentucky  
4           made in accordance with applicable banking laws and regulations and in the  
5           ordinary course of business; or
- 6           (c) An independent expenditure by any individual or permanent committee;
- 7 (8) "Candidate" means any person who has received contributions or made  
8           expenditures, has appointed a campaign treasurer, or has given his or her consent  
9           for any other person to receive contributions or make expenditures with a view to  
10          bringing about his or her nomination or election to public office, except federal  
11          office;
- 12 (9) "Slate of candidates" means:
- 13          (a) Between the time a certificate or petition of nomination has been filed for a  
14          candidate for the office of Governor under KRS 118.365 and the time the  
15          candidate designates a running mate for the office of Lieutenant Governor  
16          under KRS 118.126, a slate of candidates consists of the candidate for the  
17          office of Governor; and
- 18          (b) After that candidate has designated a running mate under KRS 118.126, that  
19          same slate of candidates consists of that same candidate for the office of  
20          Governor and the candidate's running mate for the office of Lieutenant  
21          Governor. Unless the context requires otherwise, any provision of law that  
22          applies to a candidate shall also apply to a slate of candidates;
- 23 (10) "Knowingly" means, with respect to conduct or to a circumstance described by a  
24          statute defining an offense, that a person is aware or should have been aware that  
25          his or her conduct is of that nature or that the circumstance exists;
- 26 (11) "Fundraiser" means an individual who directly solicits and secures contributions on  
27          behalf of a candidate or slate of candidates for a statewide-elected state office or an

- 1 office in a jurisdiction with a population in excess of two hundred thousand  
2 (200,000) residents;
- 3 (12) "Independent expenditure" means the expenditure of money or other things of value  
4 for a communication which expressly advocates the election or defeat of a clearly  
5 identified candidate or slate of candidates, and which is made without any  
6 coordination, consultation, or cooperation with any candidate, slate of candidates,  
7 campaign committee, or any authorized person acting on behalf of any of them, and  
8 which is not made in concert with, or at the request or suggestion of any candidate,  
9 slate of candidates, campaign committee, or any authorized person acting on behalf  
10 of any of them;
- 11 (13) "Electronic reporting" means the use of technology, having electrical, digital,  
12 magnetic, wireless, optical, electromagnetic, or similar capabilities, by which an  
13 individual or other entity submits, compiles, or transmits campaign finance reports  
14 to the registry, or by which the registry receives, stores, analyzes, or discloses the  
15 reports;
- 16 (14) "Security procedure" means a procedure employed for the purpose of verifying that  
17 an electronic signature, record, or performance is that of a specific person or for  
18 detecting changes or errors in the information in an electronic record. The term  
19 includes a procedure that requires the use of algorithms or other codes, identifying  
20 words or numbers, encryption, or callback or other acknowledgment procedures;
- 21 (15) "Electronic signature" means an electronic sound, symbol, or process attached to or  
22 logically associated with a record and executed or adopted by a person with the  
23 intent to sign the record;
- 24 (16) "Filer" means any candidate, a slate of candidates, committee, or other individual or  
25 entity required to submit financial disclosure reports to the registry;
- 26 (17) "Filer-side software" means software provided to or used by the filer that enables  
27 transmittal of financial reports to the registry; and

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

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

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

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

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

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

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

17 (d) Any candidate or slate of candidates that is subject to a June or August filing  
18 deadline and that intends to execute a request for exemption shall file the  
19 appropriate request for exemption not later than the filing deadline and, except  
20 as provided in subparagraph 2. of paragraph (c) of this subsection, shall be  
21 bound by its terms unless it is rescinded in writing not later than sixty (60)  
22 days preceding the regular election. A candidate or slate of candidates that is  
23 covered by this paragraph shall have the same reversion rights as those  
24 provided in subparagraph 1. of 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 three thousand dollars (\$3,000) in an  
9 election. Except as provided in subparagraph 2. of paragraph (c) of this  
10 subsection, a person intending to be a write-in candidate who revokes a  
11 request for exemption shall file the appropriate form with the registry.

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

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

27 2. Except as provided in subparagraph 2. of paragraph (c) of this

1 subsection, a candidate, slate of candidates, campaign committee, or  
2 political issues committee that is exempt from filing campaign finance  
3 reports pursuant to paragraph (a), (d), or (i) of this subsection that  
4 knowingly accepts contributions or makes expenditures in excess of the  
5 applicable spending limit in any one (1) election without rescinding the  
6 request for exemption in a timely manner shall comply with all  
7 applicable reporting requirements and shall be guilty of a Class D  
8 felony.

- 9 (l) 1. Any candidate exempt from filing under this subsection for a primary  
10 shall file a report described in subsection (4) of this section.
- 11 2. Any candidate exempt from filing under this subsection for a primary  
12 who advances to the regular election shall file for an additional  
13 exemption under this section for the regular election or the candidate  
14 shall no longer be exempt from the filing requirements.
- 15 3. In the event a candidate exempt from filing under this subsection is no  
16 longer eligible for the exemption, he or she shall immediately file for a  
17 revocation of the exemption under paragraph (c) of this subsection.
- 18 (2) (a) State and county executive committees, and caucus campaign committees  
19 shall make a full report, upon a prescribed form, to the registry, of all money,  
20 loans, or other things of value, received from any source, and expenditures  
21 authorized, incurred, or made, since the date of the last report, including:
- 22 1. For each contribution of any amount made by a permanent committee,  
23 the name and business address of the permanent committee, the date of  
24 the contribution, the amount contributed, and a description of the major  
25 business, social, or political interest represented by the permanent  
26 committee;
- 27 2. For other contributions in excess of two hundred dollars (\$200)~~one~~



1           ~~hundred dollars (\$100)~~, the full name, address, age if less than the legal  
2           voting age, the date of the contribution, the amount of the contribution,  
3           and the employer and occupation of each contributor. If the contributor  
4           is self-employed, the name under which he or she is doing business shall  
5           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 ***two hundred dollars (\$200)***~~one~~  
24          ~~hundred dollars (\$100)~~, the full name and address of the contributor,  
25          the date of the contribution, the amount of the contribution, and the  
26          employer and occupation of each contributor. If the contributor is self-  
27          employed, the name under which he or she is doing business shall be

1 listed;

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

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

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

1 this subsection to be received by the registry by January 31.

2 (3) (a) Except for candidates or slates of candidates, campaign committees, or  
3 political issues committees exempted from reporting requirements pursuant to  
4 subsection (1) of this section, each campaign treasurer of a candidate, slate of  
5 candidates, campaign committee, or political issues committee who accepts  
6 contributions or expends, expects to accept contributions or expend, or  
7 contracts to expend more than three thousand dollars (\$3,000) in any one (1)  
8 election, and each fundraiser who secures contributions in excess of three  
9 thousand dollars (\$3,000) in any one (1) election, shall make a full report to  
10 the registry, on a form provided or using a format approved by the registry, of  
11 all 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 two hundred dollars (\$200)~~one~~  
20 ~~hundred dollars (\$100)~~ made to any candidate or campaign committee  
21 or a political issues committee, the full name, address, age if less than  
22 the legal voting age, the date of the contribution, the amount of the  
23 contribution, and the employer and occupation of each other contributor.  
24 If the contributor is self-employed, the name under which he or she is  
25 doing business shall be listed;

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

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

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

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

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

26           c. Candidates, slate of candidates, or committees shall make all  
27           reports required by subparagraphs 2. to 5. of this paragraph during

1                                   the year in which the election takes place;

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

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

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

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

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

26 (5) In making the preceding reports, the total gross receipts from each of the following  
27                  categories shall be listed: proceeds from the sale of tickets for events such as

1 testimonial affairs, dinners, luncheons, rallies, and similar fundraising events, mass  
2 collections made at the events, and sales of items such as campaign pins, buttons,  
3 hats, ties, literature, and similar materials. When any individual purchase or the  
4 aggregate purchases of any item enumerated above from a candidate or slate of  
5 candidates for a statewide-elected state office or a campaign committee for a  
6 candidate or slate of candidates for a statewide-elected state office exceeds **two**  
7 **hundred dollars (\$200)**~~one hundred dollars (\$100)~~, the purchaser shall be  
8 identified by name, address, age, if less than the legal voting age, occupation, and  
9 employer or, if the purchaser is self-employed, the name under which he or she is  
10 doing business, and the amount of the purchase. When any individual purchase or  
11 the aggregate purchases of any item enumerated above from any candidate or  
12 campaign committee other than a candidate or slate of candidates for a statewide-  
13 elected state office or campaign committee for a candidate or slate of candidates for  
14 a statewide-elected state office exceeds **two hundred dollars (\$200)**~~one hundred~~  
15 ~~dollars (\$100)~~, the purchaser shall be identified by name, address, age if less than  
16 the legal voting age, occupation, and employer or, if the purchaser is self-employed,  
17 the name under which he or she is doing business, and the amount of the purchase.  
18 The lists shall be maintained by the campaign treasurer, political issues committee  
19 treasurer, registered fundraiser, or other sponsor for inspection by the registry for  
20 six (6) years following the date of the election.

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

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

- 1 name and business address of the permanent committee, the date of the  
2 contribution, the amount contributed, and a description of the major business,  
3 social, or political interest represented by the permanent committee;
- 4 (b) For other contributions in excess of two hundred dollars (\$200)~~one hundred~~  
5 ~~dollars (\$100)~~, the full name, address, age if under the legal voting age, the  
6 date of the contribution, the amount of the contribution, and the employer and  
7 occupation of each contributor. If the contributor is self-employed, the name  
8 under which he or she is doing business shall be listed;
- 9 (c) An aggregate amount of cash contributions, the amount contributed by each  
10 contributor, and the date of each contribution; and
- 11 (d) A complete statement of all expenditures authorized, incurred, or made,  
12 including independent expenditures. This report shall be made by a permanent  
13 committee, inaugural committee, or contributing organization to the registry  
14 on the last day of the first calendar quarter following the registration of the  
15 committee with the registry and on the last day of each succeeding calendar  
16 quarter until such time as the committee terminates. A contributing  
17 organization shall file a report of contributions received and expenditures on a  
18 form provided or using a format approved by the registry not later than the  
19 last day of each calendar quarter in which contributions are received or  
20 expenditures are made. All reports to the registry shall be received on or  
21 before each filing deadline, and any report received by the registry within two  
22 (2) business days after each filing deadline shall be deemed timely filed.
- 23 (7) If the final statement of a candidate, campaign committee, or political issues  
24 committee shows an unexpended balance of contributions, continuing debts and  
25 obligations, or an expenditure deficit, the campaign treasurer shall file with the  
26 registry a supplemental statement of contributions and expenditures not more than  
27 thirty (30) days after the deadline for filing the final statement. Subsequent

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

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

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

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

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



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

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

1 (16) Beginning in calendar year 2025, and for each year thereafter:

2 (a) On the first Wednesday after the first Monday in November of the year  
3 preceding the year in which the office will appear on the ballot, in addition  
4 to the reports required under subsections (2), (3), and (6) of this section, all  
5 candidates, slates of candidates, and committees that have filed an intent to  
6 raise campaign funds with the registry, shall file an electronic report every  
7 two (2) weeks. This electronic report shall contain the same information  
8 required under subsections (2), (3), and (6) of this section;

9 (b) The initial two (2) week report shall include any and all money, loans, or  
10 other things of value from any source that has been received and any and  
11 all expenditures that have been authorized, incurred, or made that have not  
12 previously been reported to the registry. The two (2) week reports shall  
13 continue to be filed until a final report is filed or a committee terminates;  
14 and

15 (c) If a person or entity that is required to report under this subsection has  
16 received no money, loans, or other things of value from any source since the  
17 date of its last two (2) week 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 ~~(17)~~ (a) On each form that the registry supplies for the reports required under  
24 subsections (2), (3), and (6) of this section, the registry shall include an entry  
25 reading, "No change since last report."

26 (b) If a person or entity that is required to report under subsection (2), (3), or (6)  
27 of this section has received no money, loans, or other things of value from any

1 source since the date of its last report and has not authorized, incurred, or  
2 made any expenditures since that date, the person or entity may check or  
3 otherwise designate the entry that reads, "No change since last report." A  
4 person or entity designating this entry in a report shall state the balance  
5 carried forward from the last report but need not specify receipts or  
6 expenditures in further detail.

7 ➔Section 4. KRS 121.990 is amended to read as follows:

- 8 (1) Any corporation or any officer, agent, attorney, or employee of a corporation, who  
9 knowingly violates any of the provisions of KRS 121.025, shall be fined not more  
10 than ten thousand dollars (\$10,000), and, in the case of individuals, be guilty of a  
11 Class D felony.
- 12 (2) Any corporation that knowingly violates any of the provisions of KRS 121.035(1)  
13 or KRS 121.310(2) shall be fined not more than ten thousand dollars (\$10,000) for  
14 each offense, and upon conviction its charter shall be forfeited or its authority to do  
15 business revoked.
- 16 (3) Any person who knowingly violates any of the provisions of KRS 121.035(2),  
17 121.045, 121.055, 121.150 to 121.230, 121.310(1), or 121.320 shall, for each  
18 offense, be guilty of a Class D felony. Violations of KRS 121.150 to 121.230 shall  
19 include, but shall not be limited to, any of the following acts or omissions:
- 20 (a) Failure to make required reports or to file reports at times specified;
  - 21 (b) Making any false statement or report;
  - 22 (c) Giving money under a fictitious name; or
  - 23 (d) Making any communication in violation of KRS 121.190(1).
- 24 (4) The nomination for, or election to, an office of any candidate or slate of candidates  
25 who knowingly violates any provision of KRS 121.150 to 121.220, or whose  
26 campaign treasurer knowingly violates any provision of KRS 121.150 to 121.220,  
27 with the knowledge of that candidate or slate of candidates, shall be void, and, upon

1 a final judicial determination of guilt, the office shall be declared vacant and the  
2 officeholder shall forfeit all benefits which he would have been entitled to receive  
3 had he continued to serve, and the office or candidacy shall be filled as provided by  
4 law for the filling of a vacancy. An action to declare a vacancy under this  
5 subsection may be brought by the registry, the Attorney General, any candidate or  
6 slate of candidates for the office sought to be declared vacant, or any qualified  
7 voter.

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

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

17 (7) Any officeholder who knowingly violates the provisions of subsection (6) of  
18 Section 1 of this Act~~[KRS 121.150(12)]~~ shall, upon a final judicial determination of  
19 guilt, have his office declared vacant and shall forfeit all benefits which he would  
20 have been entitled to receive had he continued to serve.

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

27 ~~(9) Any person who knowingly receives an appointment to any appointive state office~~

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

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

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

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

19       ~~(9)~~~~(13)~~ Any person who knowingly fails to pay a civil penalty, assessed by the  
20       registry or a judicial panel pursuant to KRS 121.140 for violation of campaign  
21       finance laws, shall be disqualified from filing for public office until such penalty is  
22       paid or the registry rules that settlement has otherwise been made.

23       ~~(10)~~~~(14)~~ Any elected official who knowingly awards or participates in the awarding of  
24       a nonbid contract or whose appointee knowingly awards or participates in the  
25       awarding of a nonbid contract in violation of KRS 121.330(1) shall be guilty of a  
26       Class D felony and, upon a final judicial determination of guilt, have his office  
27       declared vacant and shall forfeit all benefits which he would have been entitled to

1 receive had he continued to serve.

2 ~~(11)~~~~(15)~~ Any entity who knowingly receives a nonbid contract with a governing  
3 authority in violation of KRS 121.330(2) shall be guilty of a Class D felony. Upon  
4 conviction, the nonbid contract shall be canceled, and the entity convicted shall be  
5 ineligible to receive a nonbid contract with a governing authority for a period of  
6 five (5) years from the date of final judicial determination of guilt.

7 ~~(12)~~~~(16)~~ Any elected official who knowingly awards or participates in awarding of a  
8 nonbid contract, lease, or appointment to an office or board or whose appointee  
9 knowingly awards or participates in the awarding of a nonbid contract, lease, or  
10 appointment to an office or board in violation of KRS 121.330(3) shall be guilty of  
11 a Class D felony and, upon a final judicial determination of guilt, have his office  
12 declared vacant and shall forfeit all benefits which he would have been entitled to  
13 receive had he continued to serve.

14 ~~(13)~~~~(17)~~ (a) Any fundraiser who knowingly receives a nonbid contract, lease, or  
15 appointment to an office or board or any entity in which he has an interest  
16 who knowingly receives a nonbid contract or lease in violation of KRS  
17 121.330(4) shall be guilty of a Class D felony;

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

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

25 ~~(14)~~~~(18)~~ Any appointed or elected state office holder or any other person who  
26 knowingly violates the provisions of KRS 121.120(5) shall be guilty of a Class D  
27 felony. In the event a candidate has assumed office, upon a final judicial

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

3 ~~(15)~~~~(19)~~ Any person who knowingly violates the provisions of KRS 121.065(1) shall  
4 be guilty of a Class A misdemeanor.

5 ➔Section 5. KRS 336.180 is amended to read as follows:

6 As used in this chapter, unless the context requires otherwise:

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

12 (2) "Committee" includes the following:

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

23 (b) "Caucus campaign committee," which means members of any caucus groups  
24 who receive contributions and make expenditures to support or oppose one (1)  
25 or more specific candidates or slates of candidates for nomination or election  
26 to any state, county, city, or district office, or a committee in Kentucky or in  
27 any other state. Caucus campaign committees include but are not limited to:



- 1           1.    The House Democratic caucus campaign committee;
- 2           2.    The House Republican caucus campaign committee;
- 3           3.    The Senate Democratic caucus campaign committee;
- 4           4.    The Senate Republican caucus campaign committee; and
- 5           5.    Subdivisions of the state executive committee of a minor political party,
- 6                 which serve the same function as the above-named committees, as
- 7                 determined by administrative regulations promulgated by the Kentucky
- 8                 Registry of Election Finance;
- 9           (c)   "Political issues committee," which means three (3) or more persons joining
- 10                 together to advocate or oppose a constitutional amendment or ballot measure
- 11                 if that committee receives or expends money in excess of one thousand dollars
- 12                 (\$1,000);
- 13           (d)   "Permanent committee," which means a group of individuals, including an
- 14                 association, committee, or organization, other than a campaign committee,
- 15                 political issues committee, inaugural committee, caucus campaign committee,
- 16                 or a party executive committee, which is established as, or intended to be, a
- 17                 permanent organization having as a primary purpose expressly advocating the
- 18                 election or defeat of one (1) or more clearly identified candidates, slates of
- 19                 candidates, or political parties, which functions on a regular basis throughout
- 20                 the year;
- 21           (e)   An executive committee of a political party; and
- 22           (f)   "Inaugural committee," which means one (1) or more persons who receive
- 23                 contributions and make expenditures in support of inauguration activities for
- 24                 any candidate or slate of candidates elected to any state, county, city, or
- 25                 district office;
- 26           (3)   "Contributing organization" means a group which merely contributes to candidates,
- 27                 slates of candidates, campaign committees, caucus campaign committees, or

1 executive committees from time to time from funds derived solely from within the  
2 group, and which does not solicit or receive funds from sources outside the group  
3 itself;

4 (4) "Contribution" means any:

5 (a) Payment, distribution, loan, deposit, or gift of money or other thing of value,  
6 to a candidate, his or her agent, a slate of candidates, its authorized agent, a  
7 committee, or contributing organization but shall not include a loan of money  
8 by any financial institution doing business in Kentucky made in accordance  
9 with applicable banking laws and regulations and in the ordinary course of  
10 business. As used in this subsection, "loan" shall include a guarantee,  
11 endorsement, or other form of security where the risk of nonpayment rests  
12 with the surety, guarantor, or endorser, as well as with a committee,  
13 contributing organization, candidate, slate of candidates, or other primary  
14 obligor. No person shall become liable as surety, endorser, or guarantor for  
15 any sum in any one (1) election which ~~when combined with all other~~  
16 ~~contributions the individual makes to a candidate, his or her agent, a slate of~~  
17 ~~candidates, its agent, a committee, or a contributing organization,~~ exceeds the  
18 amount of the loan ~~contribution limits provided in KRS 121.150~~;

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

24 (c) Goods, advertising, or services with a value of more than one hundred dollars  
25 (\$100) in the aggregate in any one (1) election which are furnished to a  
26 candidate, slate of candidates, committee, or contributing organization or for  
27 inauguration activities without charge, or at a rate which is less than the rate

1 normally charged for the goods or services; or

2 (d) Payment by any person other than a candidate, his or her authorized treasurer,  
3 a slate of candidates, its authorized treasurer, a committee, or contributing  
4 organization for any goods or services with a value of more than one hundred  
5 dollars (\$100) in the aggregate in any one (1) election which are utilized by a  
6 candidate, slate of candidates, committee, or contributing organization, or for  
7 inauguration activities;

8 (5) "Election" means any primary, regular, or special election. Each primary, regular,  
9 or special election shall be considered a separate election;

10 (6) "Electioneering communications" means:

11 (a) Any communication broadcast by television or radio, printed in a newspaper  
12 or on a billboard, directly mailed or delivered by hand to personal residences,  
13 or in telephone calls made to personal residences, or otherwise distributed  
14 that:

15 1. Unambiguously refers to any candidate for any state, county, city, or  
16 district office, or to any ballot measure;

17 2. Is broadcast, printed, mailed, delivered, made, or distributed within  
18 thirty (30) days before a primary election or sixty (60) days before a  
19 general election; and

20 3. Is broadcast to, printed in a newspaper, distributed to, mailed to or  
21 delivered by hand to, in telephone calls made to, or otherwise distributed  
22 to an audience that includes members of the electorate for such public  
23 office or the electorate associated with the ballot containing the ballot  
24 measure.

25 (b) "Electioneering communications" does not include:

26 1. Any news articles, editorial endorsements, opinions or commentary,  
27 writings, or letters to the editor printed in a newspaper, magazine, or

- 1                   other periodical not owned by or controlled by a candidate, committee,  
2                   or political party;
- 3                   2. Any editorial endorsements or opinions aired by a broadcast facility not  
4                   owned or controlled by a candidate, committee, or political party;
- 5                   3. Any communication by persons made in the regular course and scope of  
6                   their business or any communication made by a membership  
7                   organization solely to members of such an organization and their  
8                   families;
- 9                   4. Any communication that refers to any candidate only as part of the  
10                  popular name of a bill or statute; or
- 11                  5. A communication that constitutes a contribution or independent  
12                  expenditure as defined in this section;
- 13 (7) "Employer" means all persons, firms, associations, corporations, public employers,  
14                  public school employers, and public colleges, universities, institutions, and  
15                  education agencies;
- 16 (8) "Fundraiser" means an individual who directly solicits and secures contributions on  
17                  behalf of a candidate or slate of candidates for a statewide-elected state office, or an  
18                  office in a jurisdiction with a population in excess of two hundred thousand  
19                  (200,000) residents;
- 20 (9) "Independent expenditure" means the expenditure of money or other things of value  
21                  for a communication which expressly advocates the election or defeat of a clearly  
22                  identified candidate or slate of candidates, and which is made without any  
23                  coordination, consultation, or cooperation with any candidate, slate of candidates,  
24                  campaign committee, or any authorized person acting on behalf of any of them, and  
25                  which is not made in concert with, or at the request or suggestion of any candidate,  
26                  slate of candidates, campaign committee, or any authorized person acting on behalf  
27                  of any of them;

- 1 (10) "Labor organization" means any organization of any kind, or any agency or  
2 employee representation committee, association or union which exists for the  
3 purpose, in whole or in part, of dealing with employers concerning wages, rates of  
4 pay, hours of employment or conditions of work, or other forms of compensation.  
5 Except, for the purposes of this section or KRS 161.158, 164.365, 336.133,  
6 336.134, 336.1341, 336.135, or 336.990, "labor organization" shall not include  
7 organizations which primarily represent public employees working in the protective  
8 vocations of active law enforcement officer, jail and corrections officer, or active  
9 fire suppression or prevention personnel;
- 10 (11) "Political activities" means any contribution or independent expenditure made:
- 11 (a) To any committee;
- 12 (b) To any contributing organization;
- 13 (c) To any candidate;
- 14 (d) To any slate of candidates;
- 15 (e) To any fundraiser;
- 16 (f) For any electioneering communications;
- 17 (g) For any testimonial affair;
- 18 (h) In any manner intended to influence the outcome of any election;
- 19 (i) In any manner intended to otherwise promote or support the defeat of any:
- 20 1. Candidate;
- 21 2. Slate of candidates; or
- 22 3. Ballot measure; or
- 23 (j) In any manner intended to advance any position held by any person or entity  
24 other than the public employee regarding any:
- 25 1. Election;
- 26 2. Candidate;
- 27 3. Slate of candidates; or

1           4.    Ballot measure;

2   (12) "Public employee" means an employee of a "public agency" as that term is defined  
3       in KRS 61.870;

4   (13) "Slate of candidates" means:

5       (a)   Between the time a certificate or petition of nomination has been filed for a  
6           candidate for the office of Governor under KRS 118.365 and the time the  
7           candidate designates a running mate for the office of Lieutenant Governor  
8           under KRS 118.126, a slate of candidates consists of the candidate for the  
9           office of Governor; and

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

15   (14) "Testimonial affair" means an affair held in honor of a person who holds or who is  
16       or was a candidate for nomination or election to a state, city, county, or district  
17       political office designed to raise funds for the purpose of influencing the outcome  
18       of an election, otherwise promoting support for, or the defeat of, any candidate,  
19       slate of candidates, or ballot measure.

20       ➔Section 6. The following KRS section is repealed:

21   121.056 Restrictions upon specified campaign contributors.