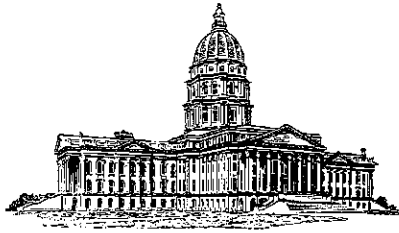


STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
TOPEKA, KANSAS 66612
(785) 296-7659
cindy.holscher@house.ks.gov



P.O. BOX 4781
OLATHE, KANSAS 66063
(913) 568-4293

CINDY HOLSCHER

16TH DISTRICT

To: Chair Sutton and Members of the Elections Committee
RE: HB 2612 – Proponent Testimony
Date: Feb. 20, 2020

Committee:

Thank you for allowing a hearing on this important topic. This bill addresses “newer” issues with the ever increasing usage of social media/internet in campaigns. This bill address two areas in particular.

- A) If an individual no longer endorse a candidate, upon receiving written notification to remove said endorsement from websites, social media, etc., the individual must comply within 2 weeks or face a penalty of \$500.

Currently, there is nothing in statue that requires a person to remove an endorsement if asked. In the past this wasn’t an issue as direct mail and print materials only had a life of 2-3 days. However, the internet is ongoing.

As a practical example, you as an elected official might be asked to endorse a candidate in a local election and that information is posted on their website. Let’s, say, though that a couple years down the line, you no longer support that individual – maybe they broke a law or did something negative prompting you to no longer want to be associated with that individual politically. Currently, if you ask that person to remove the endorsement from online sources, there is nothing that requires them to do so. Essentially, your endorsement is “forever.”

- B) Requirement that candidates must obtain written permission to utilize written statements as endorsements in campaign materials (print or online) or face a \$500 fine.

For example, under current statute, if you post a statement on social media, a person can take that info and utilize it as an endorsement on campaign materials. In essence, you could make a statement today that could be utilized years later as an endorsement without your permission.

Having worked in the advertising profession prior to serving as a Legislator, these are areas that are considered “standard” in terms of guidelines. These parameters not only protect regular citizens from having information that is posted online from being used in adverse circumstances, but protects elected officials from being tied to individuals or organizations infinitely.