

SESSION OF 2020

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2562

As Recommended by House Committee on
Elections

Brief*

HB 2562 would amend law governing activities that would constitute corrupt political advertising of a state or local office.

Specifically, the bill would remove the requirement that the name of the treasurer of the organization sponsoring paid advertisements expressly advocating for the nomination, election, or defeat of an identified candidate for a local or state election be included for the advertisements listed below:

- Published in a newspaper or other periodical;
- Broadcast by any radio or television station;
- Sent by telephone, including by any device using a voice over internet protocol or wireless telephone;
- Published in any brochure, flier, or other political fact sheet;
- Made on any website, email, or other type of internet communication made by the candidate, candidate's candidate committee, a political committee, or a party committee and such website, email, or internet communication is viewed by or disseminated to 25 or more individuals.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

In continuing law, such advertisements must contain the name of the sponsoring organization and the organization's chairperson.

The bill would amend law to require such advertisements made on any website, email, or other type of internet communication include a clear and obvious statement that includes "Paid for" or "Sponsored by" followed by the name of the chairperson of the political or other organization sponsoring the advertisement or the name of the individual responsible for the advertisement.

Background

The bill was introduced in the House Committee on Elections by Representative Blake Carpenter on behalf of the Kansas Governmental Ethics Commission (Commission).

In the House Committee hearing on the bill, the Executive Director of the Commission testified as a proponent, stating the "paid for" disclaimer in current law applying to websites is rigid, making compliance difficult or even impossible. He also testified that including the name of the treasurer on such advertisements is unnecessary.

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of the Secretary of the State and the Commission indicate enactment of the bill would have no fiscal effect on agency operations.