

Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 20.—Campaign Finance Act; General Provisions

19-20-4. Disclosures required on political advertising.

(a) Each disclosure required pursuant to K.S.A. 25-4156(b)(1)(A)-(C) and amendments thereto shall appear at the bottom of the advertisement or item and shall contain both the name of the chairperson, treasurer, or other responsible party and the name of the organization that the responsible party represents. With regard to the required disclosure, the following requirements shall apply:

(1) The name of the organization alone shall not be sufficient.

(2) If a political committee is responsible for the advertisement or item, the chairperson's name and the name of the political committee shall be disclosed.

(3) If a candidate or candidate committee is responsible for the advertisement or item, the treasurer's name and the name of the candidate or candidate committee shall be disclosed.

(4) If an organization that has a chairperson, other than a political committee, candidate, or candidate committee, is responsible for the advertisement or item, the chairperson's name and the name of the responsible organization shall be disclosed.

(5) If an organization that does not have a chairperson, other than a political committee, candidate, or candidate committee, is responsible for the advertisement or item, then the responsible individual listed shall be one of the following:

(A) The individual who is the primary funding source;

(B) if no individual is the primary funding source, the individual who controlled the decision to place the advertisement or produce the item; or

(C) if no one individual controlled the decision, the individual who controlled the funds.

(6) If an individual is responsible for the item, that individual's name shall be disclosed, unless the advertisement or item is a brochure, flier, or other political fact

sheet and the individual makes expenditures in an aggregate amount of less than \$2,500 within a calendar year.

(7) The following disclosures shall be considered adequate when placed at the bottom of the advertisement or item:

(A) Paid for by the (name of candidate) campaign, (name of treasurer), treasurer;

(B) paid for by (name of candidate) for (title of office sought), (name of treasurer), treasurer;

(C) sponsored by the committee to elect (name of candidate), (name of chairperson), chairperson;

(D) paid for by (name of political action committee) political action committee, (name of treasurer), treasurer; and

(E) advertisement: paid for by committee to elect (name of candidate), (name of chairperson), chairperson.

(b) The phrase "brochure, flier or other political fact sheet," as used in K.S.A. 25-4156 and amendments thereto, shall include the following if the items "expressly advocate the nomination, election or defeat of a clearly identified candidate," as defined by K.S.A. 25-4143 and amendments thereto:

(1) Business cards;

(2) door hangers;

(3) windshield fliers;

(4) postcards;

(5) fund-raiser invitations;

(6) traditional brochures, fliers, or mailers; and

(7) web sites, e-mails, or other types of internet communications.

(c) The phrase "brochure, flier or other political fact sheet" shall not include any of the following:

(1) Yard signs;

(2) billboards;

(3) bumper stickers;

(4) envelopes;

(5) t-shirts;

(6) pens, pencils, rulers, magnets, or other trinket items; or

(7) fund-raiser invitations, business cards, brochures, or fliers if these items do not expressly advocate the nomination, election or defeat of a clearly identified candidate.

(d) A postal or internet address that contains words that expressly advocate the nomination, election or defeat of a clearly identified candidate shall be considered political advertising if that address is published. Published matter containing an address that constitutes political advertising shall require a disclosure pursuant to K.S.A. 25-4156 and amendments thereto.

(Authorized by K.S.A. 2007 Supp. 25-4119a; implementing K.S.A. 2007 Supp. 25-4156; effective Jan. 23, 2004; amended July 18, 2008.)

***** Authenticated Kansas Administrative Regulation *****