

Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 4.—Noncompliance with Filing Provisions

19-4-1. Campaign finance notice of failure to file and notice of errors or omissions.

(a) The executive director shall, as soon as practicable, serve notice as provided in K.A.R. 19-1-8 on any treasurer who has failed to file a receipts and expenditures report on the due date. A copy of the notice shall be promptly transferred to the office of the secretary of state for inclusion in the public record of the person or committee the treasurer represents and shall also be sent to the appropriate candidate or chairperson by first class mail. Any treasurer shall, within five (5) days of the date of service, file the required report with the office of the secretary of state.

(b) The executive director shall, as soon as practicable, serve notice on any treasurer whose receipts and expenditures report contains material errors or omissions. A copy of the notice shall be promptly transferred to the office of the secretary of state for inclusion in the public record of the person or committee the treasurer represents and shall also be sent to the appropriate candidate or chairperson by first class mail. Any treasurer shall, within thirty (30) days of the date of service, file an amended report correcting the material errors or omissions with the office of the secretary of state. The executive director may serve additional notices on any treasurer concerning these reports or amendments. The procedures for original notices shall control the process in regard to additional notices.

(c) Upon service of this notice, the treasurer may contact the executive director for guidance or clarification concerning the material error or omission. If substantial issues remain unresolved after that conference, the treasurer may, within ten (10) days, request a hearing before the commission concerning the material errors or omissions. This hearing shall be conducted pursuant to K.A.R. 19-7-1 through 19-7-16, to the extent that the section is applicable, at the next regularly scheduled commission meeting unless a continuance is granted by the chairperson. Notice of the date of

hearing shall be served on the treasurer. The determination of the hearing commissioners shall be final. Failure to request the hearing or failure to attend the hearing without just cause shall constitute an admission of the validity of the determination of the material errors or omissions.

(d) The executive director may, upon the filing by a treasurer of a report as required by this section, notify the office of the secretary of state that the treasurer has complied with the requirements of any notice served upon the treasurer. This notice shall be included in the public record of the person or committee the treasurer represents. This notice shall not be construed as affecting any matter other than the matter to which it is addressed.

(e) In any case where a complaint may be filed, notice provided for by this section is not a prerequisite for pursuing a complaint.

(Authorized by K.S.A. 25-4119a; implementing K.S.A. 25-4148; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; amended, E-77-47, Sept. 30, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1981; amended May 1, 1982.)

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