

**GOVERNMENTAL ETHICS COMMISSION**<https://ethics.kansas.gov>

TO: All 2020 Legislative Candidates
FROM: Mark Skoglund, Executive Director
RE: K.S.A. 25-4153a As It Applies To A Special Session
DATE: May 27, 2020

This memorandum will address questions the Commission is receiving concerning campaigning during the time period of a special session.

During a session of the Kansas Legislature, **no legislative candidate or candidate for statewide office shall solicit or accept any contribution from a registered lobbyist, political committee, party committee, corporation, partnership, trust, organization, or association**, prior to adjournment sine die of the regular session of the legislature or at any other time in which the legislature is in session. Contributions may always be solicited and accepted from non-lobbyist individuals. **This prohibition applies to special sessions.** As the Governor has called a special session of the Kansas Legislature, this prohibition will be in effect.

Candidates may solicit and accept contributions from any of these sources up until the day the special session begins on June 3rd. After the special session adjourns, candidates may again solicit and accept contributions from these sources.

If a candidate receives a contribution during this special session from any of the above prohibited contributors, the campaign **must return the contribution**. The contribution can be reissued once the special session has adjourned. Merely holding onto the check until after the special session is not permissible. Pursuant to the Campaign Finance Act, the date of receipt is the date the campaign receives a contribution. The date of a contribution check has no relevance for reporting purposes under the Act nor does the date a contribution is deposited.

Any candidate fundraiser that has been scheduled to occur during the special session does not have to be postponed. The event can be held as scheduled. The campaign must be mindful that it can only accept contributions from non-lobbyist individuals at the event.

Be aware that this prohibition also applies to in-kind contributions during the special session. An in-kind contribution means a contribution of goods, services, or anything of value given to the candidate without charge or for less than the fair market value.

If you have questions about the applicability of this or any other provision of the Campaign Finance Act, please reach out to the Kansas Governmental Ethics Commission at KGEC_Ethics@ks.gov or (785) 296-4219.