

Governmental Ethics Commission
FY 2025-FY 2027
Narrative Information

Agency Mission:

The mission of the Kansas Governmental Ethics Commission is to provide the public with timely and accurate information they need for knowledgeable participation in government and the electoral process.

Agency Philosophy:

The Kansas Governmental Ethics Commission believes the strongest safeguard against unethical conduct by public officials and employees is an informed and active public. Further, for the disclosure elements of the legislation to have meaning, the public must be made aware of the legislation and the information which is disclosed must be accessible to them. Therefore, the Commission will act in accordance with accountability, efficiency and impartiality. The Commission's staff will approach their duties with a dedicated sense of purpose and responsibility to the individuals subject to the Campaign Finance Act and the State Governmental Ethics Laws. Consequently, the staff will perform their statutory duties in a manner that will merit public esteem through the philosophy of a service-oriented agency to aid individuals in complying with applicable laws by responding quickly, accurately, and impartially.

Agency Goal:

The Commission's goal is to provide full compliance with the Campaign Finance (KSA 25-4142 et seq.), Conflict of Interests and Lobbying provisions (KSA 46-215 et seq.), as they relate to state officers, state employees, candidates for state, county, first class city office, and lobbyists.

Objectives:

- To improve the timeliness and accuracy of reports filed.
- To educate those under the jurisdiction of the Commission.
- To bring public awareness to the Commission and the laws under its jurisdiction to create a more informed public.
- To provide the public with timely reports and statistical summaries of information filed by lobbyists, candidates for state office, political action committees, and party committees.

Strategies:

- Increase the accuracy of reports filed by conducting training seminars and providing publications tailored to meet the needs of candidates, legislators, other public officials, lobbyists and state employees.
- Maintain timely compliance by continuing to mail reminder notices and explore other alternatives to achieve timely compliance.
- Conduct educational and informational programs for the public.

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- Build, encourage, and sustain communications (either written or verbal) to assist those individuals subject to applicable laws to ensure timely and accurate disclosure.
- Maintain communication, with the ability to exchange required information and reports, with the Secretary of State, the 105 county clerks/election officers, and the city clerks in the 26 first class cities in a timely fashion to better serve individuals in meeting the statutory requirements.
- Provide the public with timely access to the receipts and expenditures reports filed by candidates for state office, political action committees and party committees on the Commission’s website.
- Continue to improve the data and information provided to the public on the Commission’s website.

Commission Long Range Goals:

The long range goals of the Commission are to:

- Require the electronic filing of all state level campaign finance reports.
- Continue to improve the Commission’s website by providing accessible campaign finance data as well as more data on lobbyists and their clients.
- Increase public access to and salience of all public reports submitted to the Commission.
- Seek new approaches to training to increase awareness of and compliance with laws under the Commission’s jurisdiction.

Output Measures:

Number of **candidates, party and political committees** subject to the Campaign Finance Act, number of reports to be filed, and percentage of compliance reviews completed.

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
State & Local Candidates	840	1875	900	905	850
PACs/Parties	438	402	413	400	425
# of Affidavits	382	184	1086	175	352
# of Reports	2519	1520	2785	1495	2575
Percentage Reviewed	100%	100%	100%	100%	100%

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Number of **Lobbyist** registrations and expenditure reports filed, and percentage of compliance reviews complete.

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
Registrations	1921	2047	2060	2065	2070
# of Reports	8093	5520	8200	8300	8400
# of Affidavits	736	815	840	850	855
Percentage Reviewed	100%	100%	100%	100%	100%

Number of **Statements of Substantial Interests** filed, and percentage of compliance reviews completed.

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
# Filed	5909	6433	6150	6255	5975
Percentage Reviewed	100%	100%	100%	100%	100%

Outcome Measures:

Percentage of individuals receiving Past Due Notices and Notifications of Failure to File required reports and statements.

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
Campaign Finance	8.1%	8.6%	8.6%	9.9%	6.1%
Lobbying	1.3%	1.3%	1.3%	1.4%	1.4%
Financial Disclosure	0.3%	0.3%	0.3%	0.3%	0.3%

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Percentage of individuals receiving Notifications of Errors and Omissions for reports and statements:

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
Campaign Finance	16.2%	16.6%	19.6%	14.1%	17.9%
Lobbying	0.5%	0.5%	0.0%	0.1%	0.1%
Financial Disclosure	<0.1%	<0.1%	<0.1%	<0.1%	<0.1%

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Agency Overview

FY 2025 Adjusted Budget Request - Current Year:

The agency's revised FY 2025 budget totals \$863,869. This budget includes \$560,050 in state general funds, which is an increase of \$5,266 above the approved amount which is entirely attributable to a reappropriation from FY 2024 which is intended for unavoidable increased costs. There are some changes within categories, the significant changes as categorized below:

- A decrease in database fees due to termination of a contract (-\$6,024),
- A decrease in Commissioner mileage due to some Commissioners attending virtually and adjusting for current usage (-\$3,356)
- A decrease in printing based on updated plans (-\$1,500),
- A decrease in internet and phone updating pricing (-\$507),
- An increase for employee parking, paid for with reductions elsewhere in the budget (\$7,542),
- An increase for janitorial services due to a transition in building management (\$2,796),
- An increase for postage costs reflecting significant increases in price (\$2,000),
- An increase for software to support campaign finance database infrastructure (\$1,628),
- An increase for COGEL conference attendance based on locality data (\$641), and
- An increase for water cooler costs (\$550).

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FY 2026 Adjusted Budget Request - Budget Year:

The agency's FY 2026 base budget request totals \$878,555 (the enhancement package is discussed separately for maximum transparency). This budget includes \$560,191 from the state general fund and \$318,364 from the Governmental Ethics Commission Fee Fund. The most significant of the changes from the FY 2025 request include:

- A decrease in postage due to decreased need in less active election cycle (-\$6,000)
- A decrease in software to support campaign finance database infrastructure since it is a one-time cost in FY 2025 (-\$1,220),
- A decrease in COGEL conference costs (-\$573),
- An increase in building rent due to the completion of the current lease (\$12,557),
- An increase in agency-funded health insurance (\$7,327),
- An increase in the Monumental Building Surcharge (\$4,236),
- An increase for Office 365 costs and computer replacements (\$1,308),
- An increase in Commissioner mileage (\$1,268), and
- An increase in agency KPERs contributions (\$690).

FY 2027 Adjusted Budget Request - Budget Year:

The agency's FY 2027 base budget request totals \$890,544 (enhancement package discussed separately). This budget includes \$560,191 from the state general fund and \$330,353 from the Governmental Ethics Commission Fee Fund. The most significant of the changes from the FY 2026 request include:

- A decrease in agency KPERs contributions (-\$1,773),
- An increase in agency-funded health insurance (\$7,261),
- An increase in postage due to increased need in statewide and House election cycle (\$2,000)
- An increase in the Monumental Building Surcharge (\$1,765),
- An increase for Office 365 costs and computer replacements (\$1,330), and
- An increase for COGEL conference due to likely locality in Canada (\$1,145).

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EXPENDITURE JUSTIFICATION BY OBJECT CODES

Object Code 100: Salaries and Wages

The 8.5 FTE positions are devoted to assuring the accurate and timely disclosure of the required financial information filed by individuals subject to the campaign finance, lobbying, and state conflict of interest laws as well as providing this information to the public in a timely manner. In addition, the Commission meets to address a variety of matters including the review of complaints, investigations, audits, and the issuance of advisory opinions.

In FY 2025, Salaries and Wages is \$148 below the approved amount due to minor fringe benefit adjustments.

For FY 2026, Salaries and Wages is an increase of \$8,043 above the requested FY 2025 amount, entirely due to fringe benefit adjustments. Agency health insurance costs increased by \$7,329 which comprises most of that amount.

The enhancement for FY 2026 adds \$186,047 and 2.0 FTEs to this base amount, entirely attributable to adding a full-time attorney and a full-time investigator to the Commission staff.

For FY 2027, Salaries and Wages is an increase of \$5,569 above the requested FY 2026 amount, entirely due to fringe benefit adjustments. Agency health insurance costs increased by \$7,260 which comprises most of that amount and is partially offset by a decrease in KPERS contributions of \$1,775.

The enhancement for FY 2027 adds \$187,027 and 2.0 FTEs to this base amount, entirely attributable to adding a full-time attorney and a full-time investigator to the Commission staff in FY 2026 and continuing these positions for FY 2027.

FY 2025: \$700,124

FY 2026: \$708,167 (\$894,214 with enhancement)

FY 2027: \$713,736 (\$900,763 with enhancement)

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Object Code 200: Contractual Services

Rent is the largest single component of the agency's contractual services, accounting for 30% of the budgeted amount in FY 2025 and increasing substantially in FY 2026 as a new contract is negotiated. Printing and communication costs are expended to ensure individuals receive the information necessary to comply with the reporting requirements of the campaign finance, lobbying, and conflict of interest laws. As a necessary result of the campaign cycle, printing and postage costs vary between years largely depending on the number of candidates. Typically, printing costs increase in non-election years as material is prepared for the upcoming election, and postage costs increase in election years due to candidate and organization contact. Travel expenses are incurred for Commission mileage and staff costs to attend the national conference of the Council on Governmental Ethics Laws. Computer replacements and costs related to the Ethics Commission database fall under this category as well.

In FY 2025, the request includes an increase of \$4,864 above the approved amount with many categorical changes. Employee parking increased with costs more than offset by decreases elsewhere such as Commissioner mileage and database costs. A contract with the Attorney General's office to provide conflict counsel was recategorized to provide additional budget transparency. A change in building management caused an increase to janitorial costs. Other changes include a decrease to printing.

For FY 2026, the request is an increase of \$6,643 above the FY 2025 request. The increase is primarily attributable to rent and the Monumental Building Surcharge, as the building lease term is expiring and negotiation is likely to result in significantly escalated costs in addition to increased surcharge rates. This increase is offset somewhat by a decrease in data storage costs and one-time software costs.

The enhancement for FY 2026 adds \$41,860 to this base amount. This is due to the need for a larger office space to accommodate the two additional positions, one-time moving costs, which is offset slightly by eliminating the conflict counsel contract with the Attorney General's office.

For FY 2027, the request is an increase of \$6,420 above the FY 2026 request. The increase is attributable to increased postage costs for an election year, increased Monumental Building Surcharge rates, increased Office 365 costs and computer replacements, and conference attendance.

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The enhancement for FY 2027 adds \$31,860 to this base amount. This is the same enhancement as FY 2026, absent the one-time moving costs.

FY 2025: \$158,095

FY 2026: \$164,738 (\$206,598 with enhancement)

FY 2027: \$171,158 (\$203,018 with enhancement)

Object Code 300: Commodities

Expenditures in this category are for water, office and professional supplies. Water cooler costs have increased.

FY 2025: \$5,050

FY 2026: \$5,050

FY 2027: \$5,050

Object Code 400: Capital Outlay

Expenditures in this category are attributable to replacing office furniture and computer equipment as needed.

FY 2025: \$600

FY 2026: \$600

FY 2027: \$600

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Enhancement Packages

1. Office Relocation, Additional Attorney, Additional Support Staff

The budget includes an enhancement for \$227,907 in FY 2026 and \$218,887 in FY 2027, all from the state general fund. This enhancement is intended to improve the ability of the Commission to deliver ethics and campaign finance training, provide additional guidance in the form of instructive tools and formal opinions, create a stable line between compliance guidance and enforcement that avoids legal issues, resolve investigations faster, support all compliance staff, provide quicker data to the public, and resolve a continuity of operations gap related to cross-training.

The intention of the enhancement is to add two full-time positions: a compliance attorney and a full-time support position that will be designated as an investigator. There is no room in the current office space to place two employees, and therefore a different office would be required. FY 2026 is the appropriate time to consider such a change since the agency lease term ends in November 2025 and costs are going to sizably increase regardless. The enhancement also includes one-time moving costs of \$10,000 in FY 2026, and a reduction in both fiscal years of \$8,500 to eliminate the conflict counsel contract with the attorney general's office.

The increases are calculated as follows and apply to FY 2026 and FY 2027 unless otherwise noted:

- A base salary of \$80,000 for a full-time attorney position plus associated fringe benefits, which is approximately average for the state and slightly below the current salary for an attorney in the Commission.
- A base wage of \$57,000 for a full-time support position plus associated fringe benefits, that is intended to be divided between compliance support duties and investigative duties. This is approximately equivalent to the hourly rate for the part-time investigator.
- An increase of \$40,360 for building rent. This amount reflects a 5,000 square foot office at \$20 per square foot above the current planned rate for FY 2026. The cost is comparable to rates in surrounding properties and currently available office space.
- An increase of \$10,000 for moving costs in FY 2026 only. Moving costs range substantially but baseline approximations range from \$2 per square foot (about \$7,200) to “between \$5,000 and \$15,000.” Any excess in this line item would be lapsed at the end of FY 2026.

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- A decrease of \$8,500 to eliminate the current conflict counsel contract with the Attorney General’s office, as it would be unneeded with an additional attorney.

Justification by Account Code

Salaries and Wages: The total increase for salaries and wages is \$186,047 in FY 2026 and \$187,027 in FY 2027. These two positions are critical.

New Compliance Attorney

The agency requires a compliance attorney that is separate from its enforcement attorney. The rationale includes:

- Separating compliance and enforcement attorneys to mirror best practices from other agencies with dual compliance and enforcement roles, e.g., KCC, Attorney General’s open government team, etc. This helps ensure that the same person being asked to give guidance is not the same person handling enforcement. Such overlap can result in conflicts that are not easily addressed through conflict counsel.
- Increase the output of guidance documents, including formal opinions.
- Increase state employee ethics training and increase the accessibility to such training. Additionally, create and provide campaign finance training, which has the potential to substantially reduce Error and Omission Notices and Failure to File Notices.
- Allowing the Commission Director to focus on guidance-related projects such as training, instructive tools, the needed internal database, website overhauls for increased public data, automated report reminders, and regulatory and statutory overhauls. The Director’s time is significantly impacted by compliance guidance and enforcement work that delays these important projects.

New Compliance/Investigator Support Staff

The agency requires a full-time investigator who also supports the compliance team. The rationale includes:

- Increasing rapid resolution of smaller investigations, which nearly always result in education and prevention steps rather than enforcement.
- Cross-training this position across the full compliance team ensures continuity of operations. Currently, while some limited cross-training occurs, the agency would have a decrease in delivered services if an employee were needed to

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be out for an extended period or suddenly left the agency.

- Increasing the data that is available to the public by improving and accelerating data entry, which is a largely slow and manual process.
- Increasing the ability to tackle large, complex investigations.

Contractual Services: The total increase for contractual services is \$41,860 in FY 2026 and \$31,860 in FY 2027.

The current office does not have space for additional staff, and the lease term is ending so it is as convenient as possible for exploring a move. The current lease is approximately \$14/hour/ft², while comparable rates from the area range from \$17 to over \$20. Another agency in the same building is currently paying in excess of \$18/hour. The rate baseline used for this enhancement is \$18/hour/ft².

The total increased amount is based on a space of 5,000 ft², which is about a third larger than the current space occupied by the Commission. This amount was used as the target space because the Commission currently has a headcount of 9 with one employee in a small space, and based on available comparable properties that are available today indicating this is the approximate space that would be available.

Additionally, \$10,000 of moving costs is approximated. There are many possible references for identifying a moving cost that is largely in flux. Person-hours for moving one agency to another location is unknown. However, some sources indicate that \$2/ft² is approximately correct, while others indicate a range of \$5,000-\$15,000 for an office of comparable size. It is intended that if the total moving cost is under \$10,000, the remaining budgeted amount would be lapsed. This is a one-time cost for FY 2026.

Lastly, a reduction of \$8,500 would occur, as the MOU for conflict counsel with the Attorney General's office would no longer be needed with a separate compliance attorney in the office.

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Goals, Objectives, Strategies, Performance Measures

The agency's primary goal is to provide full compliance with the Campaign Finance Act, conflict of interest statutes, and lobbying laws, as they relate to state officers, state employees, candidates for office under agency jurisdiction, and lobbyists. To this end, agency staff are required to be extensively informed regarding a variety of both common and rare issues in order to provide accurate advice and guidance to avoid and resolve errors.

The agency has many multifaceted objectives and strategies in service to its goal:

- Provide effective, rapid, and accurate guidance both reactively and proactively,
- Increase the output of formal opinions and other forms of guidance,
- Allow for multiple avenues of accessing training, including state employee ethics training, campaign finance training, and lobbying training,
- Provide additional guidance tools to assist in compliance including documentation, forms, and automated reminders,
- Assure a stable internal database to assist with campaign finance and lobbying report reviews,
- Ensure public access to campaign finance, lobbying, and financial disclosure data,
- Resolve simple investigations rapidly and being able to address larger investigations, and
- Have cross-trained staff to avoid continuity of operations gaps and provide more rapid report processing.

Error and Omission Notices are issued when a filed report has issues that must be corrected. In theory, a well-trained candidate and treasurer would receive fewer such notices. In 2018 (an analysis that will recur at the end of 2024), all reasons that caused Error and Omission Notices were isolated. Of these, many would have been avoidable with training. Of 386 identified issues that appeared on these notices, if 50% of candidates and treasurers attended a training, *at least* 113 of these would have been easily avoidable – a 29.3% reduction in errors. A 75% attendance rate would result in a decrease of 44.0% of errors. As more candidates move to electronic filing (as they have since 2018), training efficacy would increase sizably as many non-training-correctable errors would be resolved by electronic filing (e.g., addition errors on the report).

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Percentage of individuals receiving Notifications of Errors and Omissions for reports and statements

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
Current Trend	16.2%	16.6%	19.6%	14.1%	17.9%
With FY26/FY27 Training	16.2%	16.6%	19.6%	10.1%	11.8%

Additionally, reports that are not filed by the deadline receive Failure to File Notices. These can be decreased with training, but identifying a specific quantitative reduction is difficult. Automated reminders – a project that can be undertaken after this enhancement – would similarly have significant benefits. While not perfectly analogous because lobbyists file more frequently and are typically professionals, lobbyists receive reminders for reports via email, and less than 1.5% of lobbyists receive Failure to File Notices. While multiple reminder attempts are made for candidates and treasurers, expanding the ability to create reminders tailored to specific preferences will reduce this amount.

Percentage of individuals receiving Notifications of Failure to File for reports and statements

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
Current Trend	8.1%	8.6%	8.6%	9.9%	6.1%

Paid-for attribution violations are relatively static. There are between 10-15 for local elections and the non-Senate election cycle, and 20-30 for state elections on the Senate cycle. This amount could be decreased with a tool that provides interactive guidance regarding paid-for attribution. Identifying a specific quantitative reduction is difficult, but this project has been delayed due to a lack of personnel time to complete it.

Number of individuals receiving warnings for paid-for attribution violations

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services
Current Trend	9	13	26	13	15

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Issuing formal opinions is an important role of the Commission. The Commission often relies upon individuals requesting an opinion, but can also issue an opinion of their own accord. This enhancement would allow for increased opinions, as multiple plans have been delayed due to lack of personnel time.

Number of issued formal opinions

	CY 2023 Actual Services	CY 2024 Actual Services	CY 2025 Projected Services	CY 2026 Projected Services	CY 2027 Projected Services
Projection With Enhancement	5	0	4	10	12

Continuity of operations gaps and investigation complexity are both crucial items but difficult to parse into quantitative measures.

Enhancement Tables

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services	FY 2028 Projected Services
Salaries and Wages	\$0	\$0	\$0	\$186,047	\$187,027	\$187,027
Contractual Services	\$0	\$0	\$0	\$41,860	\$31,860	\$31,860
Total	\$0	\$0	\$0	\$227,907	\$218,887	\$218,887

	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services	FY 2028 Projected Services
State General Fund	\$0	\$0	\$0	\$227,907	\$218,887	\$218,887
Agency Fee Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$227,907	\$218,887	\$218,887

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	FY 2023 Actual Services	FY 2024 Actual Services	FY 2025 Projected Services	FY 2026 Projected Services	FY 2027 Projected Services	FY 2028 Projected Services
FTEs	8.5	8.5	8.5	10.5	10.5	10.5

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Explanation of Receipt Estimates – DA 405

K.S.A. 25-4119e establishes the Kansas Governmental Ethics Commission Fee Fund. Money credited to the fee fund is used for the operation of the Commission in the statutory performance of its duties and functions. The fee fund is not restricted in its use. The Commission’s fee fund was established in 1991 with the statutory reference of K.S.A. 25-4119a. K.S.A. 25-4119f establishes the fees required to be paid by candidates filing for office. Lobbyist registration fees are imposed under K.S.A. 46-265. Political action committees’ registration fees are imposed under K.S.A. 25-4145.

The Secretary of State collects state candidate and lobbyist registration fees at the time of filing or registration. The county clerks/county election officers collect county candidate fees. City clerks in first class cities collect city candidate fees. The fees are remitted quarterly by the county treasurers and the Secretary of State to the State Treasurer (K.S.A. 25-4119f(b)) to be credited to the fee fund. Political action committees remit directly to the Commission.

Deadlines for registration and payment of the Commission’s fees are:

Group	Deadline	Fee
State candidates	June 1	\$650 for statewide office, \$50 otherwise
County candidates	June 1	\$50
First class city candidates	June 1	\$50
Political action committees	July 1	Dependent on contributions
Lobbyists	Before engaging in lobbying	Dependent on expenditures

The Commission’s staff works with the Secretary of State, the State Treasurer, county clerks, and county treasurers to ensure collection from all candidates and lobbyists. Population estimates of candidates, lobbyists, and political action committees are based on past history and are subject to change as a result of the political climate in the State.

Political Action Committee registration fees differ due to the amount of money the committee anticipates receiving in contributions in a calendar year. Political action committees which receive \$2,500 or less in contributions pay a \$50 registration fee. When contributions are in excess of \$2,500 but less than \$7,500, the committee pays a \$250 registration fee. When contributions are in excess of \$7,500 but less than \$15,000, the committee pays a \$500 registration fee. When contributions are in excess of \$15,000, the

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committee pays a \$750 registration fee. Registration tiers and registration rates changes in April 2023 and are reflected on the DA 405 as “pre-2024” for amounts collected prior to the effective date of the change.

Candidates pay a fee when they file for office. Fees are set at \$50 for candidates for any state or local office. Statewide candidates pay a fee of \$650 when they file for office.

Lobbyist registration fees differ due to the amount of money the lobbyist anticipates expending for each client in a calendar year for the purpose of lobbying. Lobbyists with expenditures of \$1,000 or less pay a \$50 registration fee per client. When expenditures are more than \$1,000, the lobbyist pays a \$350 fee per client. Employees of lobbying firms register for \$450 per year (K.S.A. 46-265) which covers all clients.

Other fees generated include civil penalties and fines (K.S.A. 25-4152, 25-4181, 46-280, and 46-288). Actual fee fund revenue for FY 2023-2024 and projections for FY 2025-2027 are illustrated on the DA 405 form.