



January 29, 2025

The Honorable Pat Proctor, Chair
House Committee on Elections
Kansas Legislature

The Honorable Paul Waggoner, Vice Chair
House Committee on Elections
Kansas Legislature

Re: Opposition to HB 2054’s Removal of Limits on Contributions to Parties

Dear Chair Proctor, Vice Chair Waggoner, and Members of the Committee,

Campaign Legal Center (CLC) submits this statement to respectfully urge the Committee to reject HB 2054’s proposed removal of limits on contributions to state party committees, a critical safeguard against corruption and the appearance of corruption in Kansas elections. CLC is a nonpartisan, nonprofit organization dedicated to protecting and strengthening democracy across all levels of government. CLC has participated in every major campaign finance case before the U.S. Supreme Court, as well as numerous other federal and state court cases. CLC’s work promotes every American’s right to participate in the democratic process.

Contribution limits are a cornerstone of campaign finance law at the federal, state, and local level across the country, and courts have routinely upheld reasonable contribution limits since *Buckley v. Valeo*.¹ These decisions recognize the common-sense fact that real and apparent corruption are “inherent in a regime of large individual financial contributions,” such that establishing reasonable contribution limits “ma[kes] perfect sense” in preventing either from undermining democratic governance.² In light of skyrocketing spending in American elections,³

¹ 424 U.S. 1, 23-38 (1976).

² *Nixon v. Shrink Mo. Gov’t PAC*, 528 U.S. 377, 390 (2000) (quoting *Buckley*, 424 U.S. at 27).

³ By one estimate, spending in federal elections in the 2024 cycle exceeded \$16 billion. Albert Serna Jr. and Anna Massoglia, *Big money, big stakes: 5 things everyone should know about money in 2024 elections*, OPENSECRETS (Nov. 5, 2024), <https://www.opensecrets.org/news/2024/11/big-money-big-stakes-5-things-everyone-should-know-about-money-in-2024-election>.

and specifically in Kansas state elections,⁴ contribution limits play a critical role in safeguarding our elections from the corrupting potential of large contributions by wealthy special interests.

In particular, the Supreme Court has specifically recognized that limiting contributions to party committees serves the important interest of preventing *quid pro quo* corruption and the appearance of such corruption created by large campaign contributions.⁵ As the Court has recognized, the “close affiliation” between parties and officeholders places parties “in a position to sell access to” elected officials.⁶ “Given this close connection and alignment of interests,” large contributions to parties “are likely to create actual or apparent indebtedness on the part of” elected officials.⁷ Indeed, this concern is even more apparent in Kansas’s campaign finance system, which already permits parties to contribute unlimited funds directly to candidates;⁸ if the law were to allow parties to also *accept* unlimited contributions, it would create an obvious risk that state political parties would become the go-between through which wealthy special interests could directly bankroll their preferred candidates, facilitating the potential for corruption and the appearance of corruption that contribution limits are intended to prevent.

By limiting contributions to state political parties,⁹ current Kansas law appropriately recognizes the unique role parties play in elections and the potential for them to act as aggregators of wealth to pass along to their chosen candidates. CLC thus respectfully urges the Committee to uphold Kansas’ commitment to preventing *quid pro quo* corruption in its elections by rejecting HB 2054’s proposal to repeal existing limits on contributions to state political parties. We would be happy to assist the Committee as it considers further updates to its campaign finance laws. Thank you for the opportunity to submit this statement.

Respectfully submitted,

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⁴ Andrew Bahl, *Campaign spending continues to rise in Kansas races. Here’s who spent what.* TOPEKA CAPITAL-J. (Nov. 1, 2022).

⁵ *McConnell v. FEC*, 540 U.S. 93, 143 (2003).

⁶ *Id.* at 155.

⁷ *Id.*

⁸ See Kan. Stat. Ann. § 25-4153(g) (limiting party committee contributions to candidates in a contested primary, but allowing unlimited contributions from parties to candidates in general elections and uncontested primaries).

⁹ Kan. Stat. Ann. § 25-4153(d).