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The Office of the General Counsel  
Kentucky Registry of Election Finance  
140 Walnut Street  
Frankfort, KY 40601

Via Email Only: [KREFRequests@ky.gov](mailto:KREFRequests@ky.gov)

Re: Request for Advisory Opinion, HB  
139

Dear Ms. Saunders:

In light of the final passage and enrollment of 26RS HB 139, which includes a definition of “executive committee of a political party,”<sup>1</sup> on behalf of our clients, the Boone County Republican Party Executive Committee, Jessamine County Republican Party Executive Committee, and Hardin County Republican Party Executive Committee, our office seeks an advisory opinion from KREF.

Specifically, the foregoing executive committees wish and plan to use general party funds to advocate for passage of Issue 1, a constitutional amendment which will appear on the ballot in November, 2026, and which restricts the ability of the governor to issue pardons at the end of his term of office.<sup>2</sup> Their desire to use such funds includes, in part, doing so a joint expenditure that promotes not just the issue, but their slate of candidates.

They will not undertake these efforts until after the effective date of 26RS HB 139, so that it will apply in August through November, 2026, when the committees wish to undertake these activities.

These executive committees generally raise money throughout the year, but raise the bulk of their funds via their Lincoln/Reagan day dinners. Donors to the party do not earmark such donations, but instead all funds are kept in their general fund, and the expenditures at issue would come from the general funds. In light of 26 RS HB 139:

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<sup>1</sup> That bill provides: “a political committee that is a subdivision of a national political party committee and operates within the structure and under the supervision of the state executive committee of that same political party. Political parties may support candidates for public office, raise and spend money for their internal operations, and are governed by a committee that is elected by the voters in that subdivision in a manner not inconsistent with the rules of that same political party.” <https://apps.legislature.ky.gov/recorddocuments/bill/26RS/hb139/bill.pdf>

<sup>2</sup> <https://apps.legislature.ky.gov/record/26rs/SB10.html>

1. May these executive committees, which are registered with KREF, use general party funds to advocate for or against Issue 1, including by purchasing signs, text messaging, mailers, canvassing services, literature, or other advertising/promotional materials? If not, please explain why.
2. Does it matter if the Republican Party of Kentucky does not prohibit such use of funds? Does it matter if party rules give them autonomy in their operations and use of funds?<sup>3</sup> Does it matter if the Republican Party of Kentucky, which receives an accounting of funds, has never taken issue with such use of party funds and donations for issue advocacy?
3. Can they run joint expenditures and engage in such express advocacy, for instance by putting on signs or mailers both the parties' nominees, as well as advocating for the ballot issue?
4. If so, can they account for such funds with their normal executive committee reports?
5. If they cannot do so, or must register a separate issues committee to run such express advocacy, is a separate issues committee needed for each issue they intend to advocate for or against? With a separate bank account? And with long term record retention and other reporting and statutory requirements?
6. Does Advisory Opinion 2024-02 and its meaning and import still apply in light of 26 RS HB 139, which codified the prior definition of executive committee, that was done via an administrative regulation?

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<sup>3</sup> The Rules of the Republican Party of Kentucky, at paragraph 4, provide that: **“The County Committee’s authority shall include the managing and directing of Party affairs in their respective county including: the collection and disbursement of Party funds; the promotion of campaigns of Republican candidates who represent their county at the national, state and local levels; and the recruitment of poll workers that will represent the Republican Party on Election Day to ensure the fairness of elections. Each County Party will submit an annual statement of their Party goals for the coming year, and a summary of their revenue and expenses for the current year just ended and for the projected year by July 31st to the District Committee and the RSCC budget committee.”** Available at: <https://rncmultisite.kinsta.cloud/wp-content/uploads/sites/2/2025/02/2025.01.30-RPK-Rules-Adopted.pdf> These rules permit wide latitude among the county committees, to generally manage and direct party affairs, and to spend money in support of party goals.

Here, Issue 1 is consistent with the Republican Party Platform, in Chapter 9, to “ensuring Accountability” in government. <https://www.presidency.ucsb.edu/documents/2024-republican-party-platform>

These local parties believe that issue advocacy also brings out Republican voters to vote for candidates.

Very truly yours,

*/s/Christopher Wiest*

Christopher Wiest