

FIRST REGULAR SESSION

HOUSE BILL NO. 432

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KANDER (Sponsor), SHIVELY, LAMPE, STILL, QUINN, AULL, HARRIS, ANDERS, CARLSON, SMITH (71), HUMMEL, BLACK, TAYLOR, PACE, KIRKTON, SCHIEFFER, SCHUPP, AND WEBBER, (Co-sponsors).

0514L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 105.456, 105.483, 105.485, 130.031, and 575.021, RSMo, and to enact in lieu thereof five new sections relating to ethics, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 105.456, 105.483, 105.485, 130.031, and 575.021, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 105.456, 105.483,
3 105.485, 130.031, and 575.021, to read as follows:

105.456. 1. No member of the general assembly or the governor, lieutenant governor,
2 attorney general, secretary of state, state treasurer, or state auditor shall:

3 (1) Perform any service for the state or any political subdivision of the state or any
4 agency of the state or any political subdivision thereof or act in his or her official capacity or
5 perform duties associated with his or her position for any person for any consideration other than
6 the compensation provided for the performance of his or her official duties; [or]

7 (2) Sell, rent or lease any property to the state or political subdivision thereof or any
8 agency of the state or any political subdivision thereof for consideration in excess of five hundred
9 dollars per transaction or one thousand five hundred dollars per annum unless the transaction is
10 made pursuant to an award on a contract let or sale made after public notice and in the case of
11 property other than real property, competitive bidding, provided that the bid or offer accepted
12 is the lowest received; [or]

13 (3) Attempt, for compensation other than the compensation provided for the performance
14 of his or her official duties, to influence the decision of any agency of the state on any matter,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 except that this provision shall not be construed to prohibit such person from participating for
16 compensation in any adversary proceeding or in the preparation or filing of any public document
17 or conference thereon. The exception for a conference upon a public document shall not permit
18 any member of the general assembly or the governor, lieutenant governor, attorney general,
19 secretary of state, state treasurer or state auditor to receive any consideration for the purpose of
20 attempting to influence the decision of any agency of the state on behalf of any person with
21 regard to any application, bid or request for a state grant, loan, appropriation, contract, award,
22 permit other than matters involving a driver's license, or job before any state agency,
23 commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or
24 any other court rule or law to the contrary, other members of a firm, professional corporation or
25 partnership shall not be prohibited pursuant to this subdivision from representing a person or
26 other entity solely because a member of the firm, professional corporation or partnership serves
27 in the general assembly, provided that such official does not share directly in the compensation
28 earned, so far as the same may reasonably be accounted, for such activity by the firm or by any
29 other member of the firm. This subdivision shall not be construed to prohibit any inquiry for
30 information or the representation of a person without consideration before a state agency or in
31 a matter involving the state if no consideration is given, charged or promised in consequence
32 thereof;

33 **(4) Solicit any position, whether compensated or not, while such person holds**
34 **office;**

35 **(5) Register or act as a lobbyist within the two-year period after leaving office.**

36 2. No sole proprietorship, partnership, joint venture, or corporation in which a member
37 of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state
38 treasurer, state auditor or spouse of such official is the sole proprietor, a partner having more than
39 a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the
40 outstanding shares of any class of stock, shall:

41 (1) Perform any service for the state or any political subdivision thereof or any agency
42 of the state or political subdivision for any consideration in excess of five hundred dollars per
43 transaction or one thousand five hundred dollars per annum unless the transaction is made
44 pursuant to an award on a contract let or sale made after public notice and competitive bidding,
45 provided that the bid or offer accepted is the lowest received; or

46 (2) Sell, rent, or lease any property to the state or any political subdivision thereof or any
47 agency of the state or political subdivision thereof for consideration in excess of five hundred
48 dollars per transaction or one thousand five hundred dollars per annum unless the transaction is
49 made pursuant to an award on a contract let or a sale made after public notice and in the case of

50 property other than real property, competitive bidding, provided that the bid or offer accepted
51 is the lowest and best received.

52 3. No statewide elected official, member of the general assembly, or any person acting
53 on behalf of such official or member shall expressly and explicitly make any offer or promise
54 to confer any paid employment, where the individual is compensated above actual and necessary
55 expenses, to any statewide elected official or member of the general assembly in exchange for
56 the official's or member's official vote on any public matter. Any person making such offer or
57 promise is guilty of the crime of bribery of a public servant under section 576.010.

58 4. Any statewide elected official or member of the general assembly who accepts or
59 agrees to accept an offer described in subsection 3 of this section is guilty of the crime of
60 acceding to corruption under section 576.020.

105.483. 1. Each of the following persons shall be required to file a financial interest
2 statement:

3 (1) Associate circuit judges, circuit court judges, judges of the courts of appeals and of
4 the supreme court, and candidates for any such office;

5 (2) Persons holding an elective office of the state, whether by election or appointment,
6 and candidates for such elective office, except those running for or serving as county committee
7 members for a political party pursuant to section 115.609 or section 115.611;

8 (3) The principal administrative or deputy officers or assistants serving the governor,
9 lieutenant governor, secretary of state, state treasurer, state auditor and attorney general, which
10 officers shall be designated by the respective elected state official;

11 (4) The members of each board or commission and the chief executive officer of each
12 public entity created pursuant to the constitution or interstate compact or agreement and the
13 members of each board of regents or curators and the chancellor or president of each state
14 institution of higher education;

15 (5) The director and each assistant deputy director and the general counsel and the chief
16 purchasing officer of each department, division and agency of state government;

17 (6) Any official or employee of the state authorized by law to promulgate rules and
18 regulations or authorized by law to vote on the adoption of rules and regulations;

19 (7) Any member of a board or commission created by interstate compact or agreement,
20 including the executive director and any Missouri resident who is a member of the bi-state
21 development agency created pursuant to sections 70.370 to 70.440;

22 (8) Any board member of a metropolitan sewer district authorized under section 30(a)
23 of article VI of the state constitution;

24 (9) Any member of a commission appointed or operating pursuant to sections 64.650 to
25 64.950, sections 67.650 to 67.658, or sections 70.840 to 70.859;

26 (10) The members, the chief executive officer and the chief purchasing officer of each
27 board or commission which enters into or approves contracts for the expenditure of state funds;

28 (11) Each elected official, candidate for elective office, the chief administrative officer,
29 the chief purchasing officer and the general counsel, if employed full time, of each political
30 subdivision with an annual operating budget in excess of one million dollars, and each official
31 or employee of a political subdivision who is authorized by the governing body of the political
32 subdivision to promulgate rules and regulations with the force of law or to vote on the adoption
33 of rules and regulations with the force of law; unless the political subdivision adopts an
34 ordinance, order or resolution pursuant to subsection 4 of section 105.485;

35 (12) Any person who is designated as a decision-making public servant by any of the
36 officials or entities listed in subdivision (6) of section 105.450;

37 **(13) Any person who is employed by the state or by any elected or appointed official**
38 **of the state, or by any political subdivision of the state, including cities, towns, villages,**
39 **counties, and public school districts, and who receives any compensation for political**
40 **activities or consulting not directly associated with the person's official duties.**

41 **2. This section shall apply to all persons listed in this section regardless of whether**
42 **the person is compensated on a full-time, part-time, or contract basis.**

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492
2 shall be on a form prescribed by the commission and shall be signed and verified by a written
3 declaration that it is made under penalties of perjury; provided, however, the form shall not seek
4 information which is not specifically required by sections 105.483 to 105.492.

5 2. Each person required to file a financial interest statement pursuant to subdivisions (1)
6 to (12) of section 105.483 shall file the following information for himself, his spouse and
7 dependent children at any time during the period covered by the statement, whether singularly
8 or collectively; provided, however, that said person, if he does not know and his spouse will not
9 divulge any information required to be reported by this section concerning the financial interest
10 of his spouse, shall state on his financial interest statement that he has disclosed that information
11 known to him and that his spouse has refused or failed to provide other information upon his
12 bona fide request, and such statement shall be deemed to satisfy the requirements of this section
13 for such financial interest of his spouse; and provided further if the spouse of any person required
14 to file a financial interest statement is also required by section 105.483 to file a financial interest
15 statement, the financial interest statement filed by each need not disclose the financial interest
16 of the other, provided that each financial interest statement shall state that the spouse of the
17 person has filed a separate financial interest statement and the name under which the statement
18 was filed:

19 (1) The name and address of each of the employers of such person from whom income
20 of one thousand dollars or more was received during the year covered by the statement;

21 (2) The name and address of each sole proprietorship which he owned; the name, address
22 and the general nature of the business conducted of each general partnership and joint venture
23 in which he was a partner or participant; the name and address of each partner or coparticipant
24 for each partnership or joint venture unless such names and addresses are filed by the partnership
25 or joint venture with the secretary of state; the name, address and general nature of the business
26 conducted of any closely held corporation or limited partnership in which the person owned ten
27 percent or more of any class of the outstanding stock or limited partners' units; and the name of
28 any publicly traded corporation or limited partnership which is listed on a regulated stock
29 exchange or automated quotation system in which the person owned two percent or more of any
30 class of outstanding stock, limited partnership units or other equity interests;

31 (3) The name and address of any other source not reported pursuant to subdivisions (1)
32 and (2) and subdivisions (4) to (9) of this subsection from which such person received one
33 thousand dollars or more of income during the year covered by the statement, including, but not
34 limited to, any income otherwise required to be reported on any tax return such person is required
35 by law to file; except that only the name of any publicly traded corporation or limited partnership
36 which is listed on a regulated stock exchange or automated quotation system need be reported
37 pursuant to this subdivision;

38 (4) The location by county, the subclassification for property tax assessment purposes,
39 the approximate size and a description of the major improvements and use for each parcel of real
40 property in the state, other than the individual's personal residence, having a fair market value
41 of ten thousand dollars or more in which such person held a vested interest including a leasehold
42 for a term of ten years or longer, and, if the property was transferred during the year covered by
43 the statement, the name and address of the persons furnishing or receiving consideration for such
44 transfer;

45 (5) The name and address of each entity in which such person owned stock, bonds or
46 other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a
47 corporation listed on a regulated stock exchange, only the name of the corporation need be listed;
48 and provided that any member of any board or commission of the state or any political
49 subdivision who does not receive any compensation for his services to the state or political
50 subdivision other than reimbursement for his actual expenses or a per diem allowance as
51 prescribed by law for each day of such service need not report interests in publicly traded
52 corporations or limited partnerships which are listed on a regulated stock exchange or automated
53 quotation system pursuant to this subdivision; and provided further that the provisions of this

54 subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant
55 to the Employees' Retirement Income Security Act;

56 (6) The name and address of each corporation for which such person served in the
57 capacity of a director, officer [or] , receiver, **trustee, partner, proprietor, representative,**
58 **employee, or consultant;**

59 (7) The name and address of each not-for-profit corporation and each association,
60 organization, or union, whether incorporated or not, except not-for-profit corporations formed
61 to provide church services, fraternal organizations or service clubs from which the officer or
62 employee draws no remuneration, in which such person was an officer, director, employee [or]
63 , **trustee, partner, proprietor, representative, or consultant** at any time during the year covered
64 by the statement, and for each such organization, a general description of the nature and purpose
65 of the organization;

66 (8) The name and address of each source from which such person received a gift or gifts,
67 or honorarium or honoraria in excess of two hundred dollars in value per source during the year
68 covered by the statement other than gifts from persons within the third degree of consanguinity
69 or affinity of the person filing the financial interest statement, **and the source, date, and**
70 **amount of payments made to charitable organizations in lieu of honoraria.** For the purposes
71 of this section, a "gift" shall not be construed to mean political contributions otherwise required
72 to be reported by law or hospitality such as food, beverages or admissions to social, art, or
73 sporting events or the like, or informational material. For the purposes of this section, a "gift"
74 shall include gifts to or by creditors of the individual for the purpose of canceling, reducing or
75 otherwise forgiving the indebtedness of the individual to that creditor;

76 (9) The lodging and travel expenses provided by any third person for expenses incurred
77 outside the state of Missouri whether by gift or in relation to the duties of office of such official,
78 except that such statement shall not include travel or lodging expenses:

79 (a) Paid in the ordinary course of business for businesses described in subdivisions (1),
80 (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

81 (b) For which the official may be reimbursed as provided by law; or

82 (c) Paid by persons related by the third degree of consanguinity or affinity to the person
83 filing the statement; or

84 (d) Expenses which are reported by the campaign committee or candidate committee of
85 the person filing the statement pursuant to the provisions of chapter 130; or

86 (e) Paid for purely personal purposes which are not related to the person's official duties
87 by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of
88 a member, of any association or entity which employs a lobbyist. The statement shall include
89 the name and address of such person who paid the expenses, the date such expenses were

90 incurred, the amount incurred, the location of the travel and lodging, and the nature of the
91 services rendered or reason for the expenses;

92 (10) The assets in any revocable trust of which the individual is the settlor if such assets
93 would otherwise be required to be reported under this section;

94 (11) The name, position and relationship of any relative within the first degree of
95 consanguinity or affinity to any other person who:

96 (a) Is employed by the state of Missouri, by a political subdivision of the state or special
97 district, as defined in section 115.013, of the state of Missouri;

98 (b) Is a lobbyist; or

99 (c) Is a fee agent of the department of revenue;

100 (12) The name and address of each campaign committee, political party committee,
101 candidate committee, or political action committee for which such person or any corporation
102 listed on such person's financial interest statement received payment; [and]

103 (13) For members of the general assembly or any statewide elected public official, their
104 spouses, and their dependent children, whether any state tax credits were claimed on the
105 member's, spouse's, or dependent child's most recent state income tax return;

106 **(14) A brief description, the date, and category of value of any purchase, sale, or**
107 **exchange during the preceding calendar year which exceeds one thousand dollars in real**
108 **property, other than property used solely as a personal residence of the reporting**
109 **individual or the individual's spouse, or in stocks, bonds, commodities futures, and other**
110 **forms of securities. Reporting is not required under this subdivision of any transaction**
111 **solely by and between the reporting individual, the individual's spouse, or dependent**
112 **children;**

113 **(15) The identity and category of value of the total liabilities owed to any creditor**
114 **other than a spouse, or a parent, brother, sister, or child of the reporting individual or of**
115 **the individual's spouse which exceed ten thousand dollars at any time during the preceding**
116 **calendar year, excluding any mortgage secured by real property that is a personal**
117 **residence of the reporting individual or the individual's spouse, any loan secured by a**
118 **personal motor vehicle, household furniture, or appliances, which loan does not exceed the**
119 **purchase price of the item which secures it. With respect to revolving charge accounts,**
120 **only those with an outstanding liability that exceeds ten thousand dollars as of the close of**
121 **the preceding calendar year shall be reported under this subdivision;**

122 **(16) A description of the date, parties to, and terms of any agreement or**
123 **arrangement with respect to future employment, a leave of absence during the period of**
124 **the reporting individual's government service, continuation of payments by a former**

125 **employer other than this state, and continuing participation in an employee welfare or**
126 **benefit plan maintained by a former employer.**

127 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an
128 individual shall be deemed to have received a salary from his employer or income from any
129 source at the time when he shall receive a negotiable instrument whether or not payable at a later
130 date and at the time when under the practice of his employer or the terms of an agreement he has
131 earned or is entitled to anything of actual value whether or not delivery of the value is deferred
132 or right to it has vested. The term income as used in this section shall have the same meaning
133 as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be
134 or becomes effective, at any time or from time to time for the taxable year, provided that income
135 shall not be considered received or earned for purposes of this section from a partnership or sole
136 proprietorship until such income is converted from business to personal use.

137 4. Each official, officer or employee or candidate of any political subdivision described
138 in subdivision (11) of section 105.483 shall be required to file a financial interest statement as
139 required by subsection 2 of this section, unless the political subdivision biennially adopts an
140 ordinance, order or resolution at an open meeting by September fifteenth of the preceding year,
141 which establishes and makes public its own method of disclosing potential conflicts of interest
142 and substantial interests and therefore excludes the political subdivision or district and its
143 officers and employees from the requirements of subsection 2 of this section. A certified copy
144 of the ordinance, order or resolution shall be sent to the commission within ten days of its
145 adoption. The commission shall assist any political subdivision in developing forms to complete
146 the requirements of this subsection. The ordinance, order or resolution shall contain, at a
147 minimum, the following requirements with respect to disclosure of substantial interests:

148 (1) Disclosure in writing of the following described transactions, if any such transactions
149 were engaged in during the calendar year:

150 (a) For such person, and all persons within the first degree of consanguinity or affinity
151 of such person, the date and the identities of the parties to each transaction with a total value in
152 excess of five hundred dollars, if any, that such person had with the political subdivision, other
153 than compensation received as an employee or payment of any tax, fee or penalty due to the
154 political subdivision, and other than transfers for no consideration to the political subdivision;

155 (b) The date and the identities of the parties to each transaction known to the person with
156 a total value in excess of five hundred dollars, if any, that any business entity in which such
157 person had a substantial interest, had with the political subdivision, other than payment of any
158 tax, fee or penalty due to the political subdivision or transactions involving payment for
159 providing utility service to the political subdivision, and other than transfers for no consideration
160 to the political subdivision;

161 (2) The chief administrative officer and chief purchasing officer of such political
162 subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6)
163 of subsection 2 of this section;

164 (3) Disclosure of such other financial interests applicable to officials, officers and
165 employees of the political subdivision, as may be required by the ordinance or resolution;

166 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
167 commission and the governing body of the political subdivision. The clerk of such governing
168 body shall maintain such disclosure reports available for public inspection and copying during
169 normal business hours.

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall
2 be made by or accepted from any single contributor for any election by a political action
3 committee, a campaign committee, a political party committee, an exploratory committee or a
4 candidate committee.

5 2. Except for expenditures from a petty cash fund which is established and maintained
6 by withdrawals of funds from the committee's depository account and with records maintained
7 pursuant to the record-keeping requirements of section 130.036 to account for expenditures made
8 from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall
9 be made by check drawn on the committee's depository and signed by the committee treasurer,
10 deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty
11 dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall
12 not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the
13 committee during that calendar year. A check made payable to "cash" shall not be made except
14 to replenish a petty cash fund.

15 3. No contribution shall be made or accepted and no expenditure shall be made or
16 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
17 through another person in such a manner as to conceal the identity of the actual source of the
18 contribution or the actual recipient and purpose of the expenditure. Any person who receives
19 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or
20 candidate the recipient's own name and address and the name and address of the actual source
21 of each contribution such person has received for that committee. Any person who makes
22 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
23 candidate such person's own name and address, the name and address of each person to whom
24 an expenditure has been made and the amount and purpose of the expenditures the person has
25 made for that committee.

26 4. No anonymous contribution of more than twenty-five dollars shall be made by any
27 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any

28 candidate or committee. If any anonymous contribution of more than twenty-five dollars is
29 received, it shall be returned immediately to the contributor, if the contributor's identity can be
30 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee
31 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which
32 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

33 5. The maximum aggregate amount of anonymous contributions which shall be accepted
34 in any calendar year by any committee shall be the greater of five hundred dollars or one percent
35 of the aggregate amount of all contributions received by that committee in the same calendar
36 year. If any anonymous contribution is received which causes the aggregate total of anonymous
37 contributions to exceed the foregoing limitation, it shall be returned immediately to the
38 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity
39 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately
40 transmit the anonymous contribution to the state treasurer to escheat to the state.

41 6. Notwithstanding the provisions of subsection 5 of this section, contributions from
42 individuals whose names and addresses cannot be ascertained which are received from a
43 fund-raising activity or event, such as defined in section 130.011, shall not be deemed
44 anonymous contributions, provided the following conditions are met:

45 (1) There are twenty-five or more contributing participants in the activity or event;

46 (2) The candidate, committee treasurer, deputy treasurer or the person responsible for
47 conducting the activity or event makes an announcement that it is illegal for anyone to make or
48 receive a contribution in excess of one hundred dollars unless the contribution is accompanied
49 by the name and address of the contributor;

50 (3) The person responsible for conducting the activity or event does not knowingly
51 accept payment from any single person of more than one hundred dollars unless the name and
52 address of the person making such payment is obtained and recorded pursuant to the
53 record-keeping requirements of section 130.036;

54 (4) A statement describing the event shall be prepared by the candidate or the treasurer
55 of the committee for whom the funds were raised or by the person responsible for conducting the
56 activity or event and attached to the disclosure report of contributions and expenditures required
57 by section 130.041. The following information to be listed in the statement is in addition to, not
58 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of
59 contributions and expenditures:

60 (a) The name and mailing address of the person or persons responsible for conducting
61 the event or activity and the name and address of the candidate or committee for whom the funds
62 were raised;

63 (b) The date on which the event occurred;

64 (c) The name and address of the location where the event occurred and the approximate
65 number of participants in the event;

66 (d) A brief description of the type of event and the fund-raising methods used;

67 (e) The gross receipts from the event and a listing of the expenditures incident to the
68 event;

69 (f) The total dollar amount of contributions received from the event from participants
70 whose names and addresses were not obtained with such contributions and an explanation of
71 why it was not possible to obtain the names and addresses of such participants;

72 (g) The total dollar amount of contributions received from contributing participants in
73 the event who are identified by name and address in the records required to be maintained
74 pursuant to section 130.036.

75 7. No candidate or committee in this state shall accept contributions from any
76 out-of-state committee unless the out-of-state committee from whom the contributions are
77 received has filed a statement of organization pursuant to section 130.021 or has filed the reports
78 required by sections 130.049 and 130.050, whichever is applicable to that committee.

79 8. Any person publishing, circulating, or distributing any printed matter relative to any
80 candidate for public office or any ballot measure shall on the face of the printed matter identify
81 in a clear and conspicuous manner the person who paid for the printed matter with the words
82 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For
83 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,
84 handbill, sample ballot, advertisement, including advertisements in any newspaper or other
85 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered
86 material; but "printed matter" is defined to exclude materials printed and purchased prior to May
87 20, 1982, if the candidate or committee can document that delivery took place prior to May 20,
88 1982; any sign personally printed and constructed by an individual without compensation from
89 any other person and displayed at that individual's place of residence or on that individual's
90 personal motor vehicle; any items of personal use given away or sold, such as campaign buttons,
91 pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a
92 candidate or committee which supports a candidate or supports or opposes a ballot measure and
93 which is obvious in its identification with a specific candidate or committee and is reported as
94 required by this chapter; and any news story, commentary, or editorial printed by a regularly
95 published newspaper or other periodical without charge to a candidate, committee or any other
96 person.

97 (1) In regard to any printed matter paid for by a candidate from the candidate's personal
98 funds, it shall be sufficient identification to print the first and last name by which the candidate
99 is known.

100 (2) In regard to any printed matter paid for by a committee, it shall be sufficient
101 identification to print the name of the committee as required to be registered by subsection 5 of
102 section 130.021 and the name and title of the committee treasurer who was serving when the
103 printed matter was paid for.

104 (3) In regard to any printed matter paid for by a corporation or other business entity,
105 labor organization, or any other organization not defined to be a committee by subdivision (9)
106 of section 130.011 and not organized especially for influencing one or more elections, it shall
107 be sufficient identification to print the name of the entity, the name of the principal officer of the
108 entity, by whatever title known, and the mailing address of the entity, or if the entity has no
109 mailing address, the mailing address of the principal officer.

110 (4) In regard to any printed matter paid for by an individual or individuals, it shall be
111 sufficient identification to print the name of the individual or individuals and the respective
112 mailing address or addresses, except that if more than five individuals join in paying for printed
113 matter it shall be sufficient identification to print the words "For a list of other sponsors contact:"
114 followed by the name and address of one such individual responsible for causing the matter to
115 be printed, and the individual identified shall maintain a record of the names and amounts paid
116 by other individuals and shall make such record available for review upon the request of any
117 person. No person shall accept for publication or printing nor shall such work be completed until
118 the printed matter is properly identified as required by this subsection.

119 9. Any broadcast station transmitting any matter relative to any candidate for public
120 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as
121 required by federal law.

122 10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for
123 elective federal office, provided that persons causing matter to be printed or broadcast
124 concerning such candidacies shall comply with the requirements of federal law for identification
125 of the sponsor or sponsors.

126 11. It shall be a violation of this chapter for any person required to be identified as
127 paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter
128 pursuant to subsection 9 of this section to refuse to provide the information required or to
129 purposely provide false, misleading, or incomplete information.

130 12. It shall be a violation of this chapter for any committee to offer chances to win prizes
131 or money to persons to encourage such persons to endorse, send election material by mail,
132 deliver election material in person or contact persons at their homes; except that, the provisions
133 of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

134 13. Political action committees shall only receive contributions from individuals; unions;
135 federal political action committees; and corporations, associations, and partnerships formed

136 under chapters 347 to 360, and shall be prohibited from receiving contributions from other
137 political action committees, candidate committees, political party committees, campaign
138 committees, exploratory committees, or debt service committees. However, candidate
139 committees, political party committees, campaign committees, exploratory committees, and debt
140 service committees shall be allowed to return contributions to a donor political action committee
141 that is the origin of the contribution.

142 14. The prohibited committee transfers described in subsection 13 of this section shall
143 not apply to the following committees:

144 (1) The state house committee per political party designated by the respective majority
145 or minority floor leader of the house of representatives or the chair of the state party if the party
146 does not have majority or minority party status;

147 (2) The state senate committee per political party designated by the respective majority
148 or minority floor leader of the senate or the chair of the state party if the party does not have
149 majority or minority party status.

150 15. No person shall transfer anything of value to any committee with the intent to
151 conceal, from the ethics commission, the identity of the actual source. Any violation of this
152 subsection shall be punishable as follows:

153 (1) For the first violation, the ethics commission shall notify such person that the transfer
154 to the committee is prohibited under this section within five days of determining that the transfer
155 is prohibited, and that such person shall notify the committee to which the funds were transferred
156 that the funds must be returned within ten days of such notification. **If such funds are not
157 returned within ten days, the ethics commission may impose a fine in an amount not less
158 than the amount of the funds that were transferred in violation of this subsection but not
159 more than three times the amount of the funds transferred in violation of this section;**

160 (2) [For the second violation, the person transferring the funds shall be guilty of a class
161 C misdemeanor;

162 (3) For the [third] **second** and subsequent violations, the person transferring the funds
163 shall be guilty of a class D felony.

164 16. Beginning January 1, 2011, all committees required to file campaign financial
165 disclosure reports with the Missouri ethics commission shall file any required disclosure report
166 in an electronic format as prescribed by the ethics commission.

167 **17. No committee shall transfer any funds to another committee if the treasurer of
168 the committee receiving the funds is the treasurer for the committee transferring the funds.**

169 **18. No campaign committee shall receive any contribution from any organization
170 exempt from taxation under 26 U.S.C. Section 501(c)(4) unless such organization has
171 disclosed to the ethics commission the name and address of each person donating to such**

172 **organization. In lieu of disclosing such donors to the ethics commission, the organization**
173 **may provide a list of all donors to the general public on the organization's website.**

575.021. 1. A person commits the crime of obstruction of an ethics investigation if such
2 person, for the purpose of obstructing or preventing an ethics investigation, knowingly commits
3 any of the following acts:

4 (1) Confers or agrees to confer anything of pecuniary benefit to any person in direct
5 exchange for that person's concealing or withholding any information concerning any violation
6 of sections 105.450 to 105.496 and chapter 130;

7 (2) Accepting or agreeing to accept anything of pecuniary benefit in direct exchange for
8 concealing or withholding any information concerning any violation of sections 105.450 to
9 105.496 or chapter 130;

10 (3) Utters or submits a false statement that the person does not believe to be true to any
11 member or employee of the Missouri ethics commission or to any official investigating any
12 violation of sections 105.450 to 105.496 or chapter 130; or

13 (4) Submits any writing or other documentation that is inaccurate and that the person
14 does not believe to be true to any member or employee of the Missouri ethics commission or to
15 any official investigating any violation of sections 105.450 to 105.496 or chapter 130.

16 2. It is a defense to a prosecution under subdivisions (3) and (4) of subsection 1 of this
17 section that the person retracted the false statement, writing, or other documentation, but this
18 defense shall not apply if the retraction was made after:

19 (1) The falsity of the statement, writing, or other documentation was exposed; or

20 (2) Any member or employee of the Missouri ethics commission or any official
21 investigating any violation of sections 105.450 to 105.496 or chapter 130 took substantial action
22 in reliance on the statement, writing, or other documentation.

23 3. The defendant shall have the burden of injecting the issue of retraction under this
24 section.

25 4. Obstruction of an ethics investigation under this section is a class [A misdemeanor]
26 **D felony.**