

JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 13, 2016

The House met pursuant to adjournment.

Speaker Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Teach me to do Thy will for Thou art my God and Thy spirit is good. Psalm (143:10)

O Eternal God, breathe upon us Your life giving spirit as we wait upon You in prayer. We come to You facing tasks that sometimes tower above our ability to handle well and living through days that disturb us with their demanding duties. In the midst of these unique responsibilities may the strengthening power of Your presence keep our hearts clean, our minds clear, and our spirits courageous.

Help us to hear Your still, small voice sounding through the thundering noise of these tumultuous times, and hearing it may we work together with You to fashion our beloved state into an instrument of good will through which Your will may be done in Missouri forever.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 139

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Conway 10	Conway 104	Corlew	Cross	Curtman
Dogan	Dohrman	Dugger	Dunn	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Frederick	Gannon	Gosen
Green	Haahr	Haefner	Harris	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kendrick	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McDaniel
McDonald	McGaugh	McGee	McNeil	Messenger
Miller	Mims	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Newman	Nichols

Norr	Otto	Peters	Pfautsch	Phillips
Pietzman	Pike	Plocher	Pogue	Redmon
Reiboldt	Remole	Rhoads	Rizzo	Roden
Ross	Rowden	Rowland 155	Rowland 29	Ruth
Shaul	Shull	Shumake	Smith	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT: 024

Colona	Cookson	Cornejo	Crawford	Curtis
Davis	Ellington	Fitzwater 144	Franklin	Gardner
Hansen	Hicks	Hummel	McCreery	Meredith
Mitten	Pace	Parkinson	Pierson	Rehder
Roeber	Rone	Runions	Zerr	

VACANCIES: 000

HOUSE RESOLUTIONS

Representative Smith offered House Resolution No. 58.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the second time:

HCR 69, relating to the EPA's final Clean Power Plan.

HCR 70, relating to the REAL ID Act.

HCR 71, relating to radioactive waste cleanup at West Lake Landfill.

HCR 72, relating to the development of a site for the permanent siting and development of a federal nuclear waste repository.

HCR 73, relating to the designation of "Cystic Fibrosis Awareness Month" in Missouri.

SECOND READING OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the second time:

HJR 74, relating to term limits for the general assembly.

HJR 75, relating to the general assembly.

HJR 76, relating to the right to work.

HJR 77, relating to property taxation.

HJR 78, relating to recall of elected public officials.

SECOND READING OF HOUSE BILLS

The following House Bills were read the second time:

HB 2138, relating to compliance with the federal REAL ID Act of 2005.

HB 2139, relating to investments made by county hospitals.

HB 2140, relating to local sales tax on motor vehicles.

HB 2141, relating to the levying of earnings taxes in certain cities.

HB 2142, relating to peace officers.

HB 2143, relating to the transfer of college credits.

HB 2144, relating to members of the Missouri general assembly.

HB 2145, relating to restitution received by wrongfully imprisoned persons.

HB 2146, relating to guardianship of minors.

HB 2147, relating to filing a responsive pleading in certain family law proceedings.

HB 2148, relating to public contracts.

HB 2149, relating to electrical contractor licenses.

HB 2150, relating to unclaimed life insurance benefits.

HB 2151, relating to senior citizens property tax relief.

HB 2152, relating to the homeowners' solar rights act.

HB 2153, relating to students in accredited optometry schools.

HB 2154, relating solely to the creation of an earned income tax credit.

HB 2155, relating to residency at public institutions of higher education.

HB 2156, relating to the Missouri returning heroes' education act.

HB 2157, relating to harassment in the workplace.

HB 2158, relating to rate schedules for certain utilities outside of general rate proceedings.

HB 2159, relating to licenses for microbreweries.

HB 2160, relating to regulation of unauthorized substances.

HB 2161, relating to public elections.

HB 2162, relating to blighted areas.

HB 2163, relating to nonprofit corporations.

HB 2164, relating to entrances to certain state offices, with penalty provisions.

HB 2165, relating to campaign funds.

HB 2166, relating solely to lobbyist expenditures.

HB 2167, relating to self-service storage facilities.

HB 2168, relating to dependent coverage under the Missouri consolidated health care plan.

HB 2169, relating to income exempt from taxation.

HB 2170, relating to the labor organization and workforce opportunity improvement act.

HB 2171, relating to workforce opportunity inclusion on state-funded projects.

HB 2172, relating to project labor agreements.

HB 2173, relating to earnings taxes.

HB 2174, relating to law enforcement agencies, with penalty provisions.

HB 2175, relating to elections.

HB 2176, relating to higher education, with an emergency clause for a certain section.

HB 2177, relating to the historic revitalization act.

HB 2178, relating to driver's education.

HB 2179, relating to governing boards of public institutions of higher education.

HB 2180, relating to county road district consolidation.

HB 2181, relating to the state capitol complex commission.

HB 2182, relating to firearms.

HB 2183, relating to parliamentary month.

HB 2184, relating to land purchases made on behalf of departments of the state.

HB 2185, relating to the Missouri State High School Activities Association.

HB 2186, relating to recognition for student participation in the Constitution Project of the Missouri Supreme Court.

HB 2187, relating to the sale of certain lands acquired through legal settlements.

HB 2188, relating to a sales tax for early childhood education programs.

HB 2189, relating to elementary and secondary education, with a penalty provision.

HB 2190, relating to tax collection, with an effective date.

HB 2191, relating to criminal nonsupport, with a penalty provision.

HB 2192, relating to automatic voter registration.

HB 2193, relating to expungement of records due to identity theft or mistaken identity.

HB 2194, relating to the renewal of insurance policies.

HB 2195, relating to the designation of state dogs.

HB 2196, relating to the Second Amendment preservation act.

HB 2197, relating to lifesaving device requirements, with penalty provisions.

HB 2198, relating to election dates.

HB 2199, relating to congressional district committee nominations.

HB 2200, relating to the ethics commission.

PERFECTION OF HOUSE BILLS

HB 1979, relating solely to registered lobbyists, was taken up by Representative Rowden.

HB 1979 was laid over.

HB 1452, relating to the filing of personal financial disclosure reports, was taken up by Representative Hoskins.

HB 1452 was laid over.

HB 1575, relating to personal financial disclosures, was taken up by Representative Rowden.

HB 1575 was laid over.

HB 1983, relating to paid political consultants, was taken up by Representative Dogan.

HB 1983 was laid over.

On motion of Representative Cierpiot, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Richardson.

PERFECTION OF HOUSE BILLS

HB 1979, relating solely to registered lobbyists, was again taken up by Representative Rowden.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1979, Page 1, Section 105.481, Lines 6 to 8, by deleting all of said lines and inserting in lieu thereof the following:

"year after such person vacates the office."; and

Further amend said section, Lines 12 to 14, by deleting all of said lines and inserting in lieu thereof the following:

"year after such person vacates the office."; and

Further amend said section, Page 1, Line 17, to Page 2, Line 19, by deleting all of said lines and inserting in lieu thereof the following:

"a lobbyist as defined in section 105.470 until one year after such person vacates the office."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowden offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 1979, Page 1 Line 4, by removing all of said line from the amendment and inserting in lieu thereof the following:

"year after the expiration of any term of office for which such person was elected."; and

Further amend said amendment and page, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"year after the expiration of any term of office for which such person was appointed."; and

Further amend said amendment and page, Line 14, by deleting all of said line and inserting in lieu thereof the following:

"a lobbyist as defined in section 105.470 until one year after the expiration of any term of office for which such person was elected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowden, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote, the ayes and noes having been demanded by Representative Barnes:

AYES: 138

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Bernskoetter	Black	Bondon	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter
Chipman	Cierpiot	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dugger	Dunn	Eggleston
Ellington	Engler	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gosen	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Jones	Kelley	Kendrick
Kidd	King	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Leara	Lynch	Marshall	Mathews
McCaherty	McCann Beatty	McCreery	McDaniel	McDonald
McGaugh	McGee	McNeil	Meredith	Messenger
Miller	Montecillo	Morgan	Morris	Muntzel
Neely	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pietzman	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Taylor 139	Taylor 145	Vescovo

Walker	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 014

Beard	Colona	Curtis	Hicks	Justus
Kirkton	Lichtenegger	Love	Mims	Moon
Newman	Pogue	Spencer	Walton Gray	

PRESENT: 004

Berry	Dohrman	Gardner	Peters
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ABSENT: 007

Brattin	English	Hummel	May	Mitten
Pierson	Smith			

VACANCIES: 000

Representative Marshall offered **House Amendment No. 2 to House Amendment No. 1.**

*House Amendment No. 2
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 1979, Page 1, Line 14, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 105.481, Line 19, by inserting after all of said line the following:

"4. No person elected or appointed to office, shall while holding said office, act, serve, or register as a lobbyist or own an interest or be a member of a business organization which as a substantial part of its business, employs or manages lobbyists."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Corlew raised a point of order that **House Amendment No. 2 to House Amendment No. 1** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Marshall moved that **House Amendment No. 2 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Otto:

AYES: 037

Adams	Anders	Arthur	Burlison	Carpenter
Curtis	Gosen	Harris	Hurst	Kendrick
Kidd	King	Kirkton	Korman	LaFaver

Lavender	Love	Marshall	McCann Beatty	McCreery
McDaniel	McGaugh	McGee	McNeil	Moon
Morgan	Neely	Newman	Otto	Parkinson
Pogue	Rizzo	Ross	Rowland 29	Solon
Webber	Wilson			

NOES: 110

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brown 57	Brown 94
Burns	Butler	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Corlew	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	Ellington	Engler	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gardner	Green
Haefner	Hansen	Hicks	Higdon	Hill
Hoskins	Houghton	Hubbard	Hubrecht	Johnson
Jones	Justus	Koenig	Kolkmeier	Kratky
Lair	Lant	Leara	Lynch	Mathews
McCaherty	McDonald	Meredith	Messenger	Miller
Mims	Montecillo	Morris	Muntzel	Nichols
Pace	Pfautsch	Phillips	Pietzman	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Rowden
Rowland 155	Runions	Ruth	Shaul	Shull
Shumake	Smith	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Vescovo	Walker	Walton Gray
White	Wiemann	Wood	Zerr	Mr. Speaker

PRESENT: 010

Cookson	Cornejo	Haahr	Hinson	Hough
Kelley	Lauer	Lichtenegger	Norr	Peters

ABSENT: 006

Brattin	English	Hummel	May	Mitten
Pierson				

VACANCIES: 000

On motion of Representative Barnes, **House Amendment No. 1, as amended**, was adopted.

Representative McCreery offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1979, Page 1, In the Title, Lines 2 and 3, by deleting the phrase "solely to registered lobbyists" and inserting in lieu thereof the phrase:

"to ethics"; and

Further amend said bill, Section A, Page 1, Line 2, by inserting after all of said section and line the following:

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

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

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

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

(4) Solicit any registered lobbyist for any position with a hiring date beginning after such person is no longer an elected official, whether compensated or not, while such person holds office.

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

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

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

3. Any member of the general assembly who accepts or agrees to accept an offer or promise to confer an appointment to any board, commission, committee, council, county office, department directorship, fee office under section 136.055, judgeship, or any other position from the governor or any person acting on behalf of the governor in exchange for the member's official vote on any public matter is guilty of the offense of acceding to corruption under section 576.020."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 1979, Page 1, Lines 1 and 2, by deleting said lines and inserting in lieu thereof the following:

"AMEND House Bill 1979, Page 1, In the Title, Lines 2 and 3, by deleting the phrase "solely to registered lobbyists" and inserting in lieu thereof the phrase:

"solely to certain public officials becoming lobbyists"; and"; and

Further amend said amendment, Page 2, Line 24, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 105.481, Line 19, by inserting immediately after said line the following:

"4. For purposes of this section, the prohibition contained herein shall only apply to lobbyists employed by a lobbyist principal for pay or other consideration in excess of reimbursement for expenses incurred."; and; " and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative McCreery, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Rowden, **HB 1979, as amended**, was ordered perfected and printed.

HB 1452, relating to the filing of personal financial disclosure reports, was again taken up by Representative Hoskins.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1452, Page 1, Section 105.487, Line 1, by inserting immediately after the number "105.487" the subsection indicator:

"**1.**"; and

Further amend said bill and section, Page 2, Line 36, by inserting after all of said line the following:

"2. This section shall become effective on January 1, 2017."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Arthur offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1452, Page 1, In the Title, by removing the words "the filing of personal financial disclosure reports" and inserting in lieu thereof the word "ethics"; and

Further amend said bill, Page 2, Section 105.487, Line 36, by inserting immediately after said line the following:

"[130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(4) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(5) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate

committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(6) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(7) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(8) "Closing date", the date through which a statement or report is required to be complete;

(9) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (11) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (11) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, political action committee, exploratory committee, and political party committee;

(10) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are

members, officers, directors, employees or security holders of such organization or their spouses;

(11) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(12) "County", any one of the several counties of this state or the city of St. Louis;

(13) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(14) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(15) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or

election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(16) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(17) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(18) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(19) "Labor organization", any organization of any kind, or any agency or employee

representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(20) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(21) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(22) "Political action committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a committee of a political party which may be organized as a not-for-profit corporation under Missouri law and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party. Political party committees shall only take the following forms:

(a) One congressional district committee per political party for each congressional district in the state; and

(b) One state party committee per political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (4) of this section.]

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the

general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any

officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or

other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) "County", any one of the several counties of this state or the city of St. Louis;

(14) **"Covered communication":**

(a) **Paid advertisements broadcast over radio, television, cable, or satellite in this state;**

(b) **Paid placement of content on the internet or other electronic communication network targeted to voters in this state;**

(c) **Paid advertisements published in a periodical or on a billboard in this state;**

(d) **Paid telephone communications to five hundred or more households in this state;**

(e) **Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and**

(f) **Printed materials exceeding two thousand copies distributed in this state;**

(15) **"Covered organization", any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;**

(16) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

[(15)] (17) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(18) **"Electioneering activities":**

(a) **Any covered communication that influences or attempts to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage, or defeat of any ballot measure; and**

(b) **Any covered communication made within forty-five days of a primary election or ninety days of a general election that:**

a. **Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or**

b. **Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat;**

[(16)] (19) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise

to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

- (a) Payment by anyone other than a committee for services of another person rendered to such committee;
- (b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;
- (c) The transfer of funds by one committee to another committee;
- (d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but
- (e) "Expenditure" does not include:
 - a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;
 - b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;
 - c. Repayment of a loan, but such repayment shall be indicated in required reports;
 - d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;
 - e. The costs incurred by any connected organization listed pursuant to subdivision [(4)] (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;
 - f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

[(17)] (20) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office.

Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

[(18)] (21) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

[(19)] (22) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

[(20)] (23) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

[(21)] (24) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

[(22)] (25) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political

party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

[(23)] (26) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

[(24)] (27) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

[(25)] (28) "Political party committee", a state, district, county, city, or area committee of a political party, as defined in section 115.603, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

[(26)] (29) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

[(27)] (30) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

[(28)] (31) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section.

130.062. 1. By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a contribution, including in-kind contributions, to a committee in the previous calendar year shall disclose in an electronic disclosure report to the ethics commission:

(1) All expenditures made for purposes of electioneering activities by means of a covered communication in the previous calendar year;

(2) All contributions, including in-kind contributions, to a committee in the previous calendar year;

(3) The percentage of its total expenditures from the previous calendar year for purposes of electioneering activities by means of a covered communication;

(4) The percentage of its total expenditures made from the previous calendar year for contributions, including in-kind contributions, to a committee during the previous calendar year;

(5) The name and address of each person or entity making any single donation over one thousand dollars, and each person or entity who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year; and

(6) The date and amount of each donation over one thousand dollars, or of any donation from a person who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year.

Such information shall be a matter of public record that the ethics commission shall subsequently make available to the public.

2. Any organization required to file disclosure reports under subsection 1 of this section shall make such disclosures electronically.

3. (1) Any covered organization that makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and the ballot measure or candidate such expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information.

(2) Any covered organization that makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the ethics commission within forty-eight hours of making such contribution. The report shall specifically state the contribution amount and the committee to which the contribution was made.

(3) Every electronic disclosure report required under this subsection shall include the date and amount of each donation, as well as the name, address, and employer, occupation if self-employed, or

notation of retirement of each donor who has donated over five thousand dollars to the covered organization in the previous twelve-month period.

(4) **The ethics commission shall assess fees on the board of directors of a covered organization in the same manner as provided in section 105.963 for failure to file reports required by this section.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Corlew raised a point of order that **House Amendment No. 2** was not distributed timely.

The Chair ruled the point of order well taken.

Representative Ross offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 1452, Page 1, In the Title, by removing the words "the filing of personal financial disclosure reports" and inserting in lieu thereof the word:

"ethics"; and

Further amend said bill, Page 2, Section 105.487, Line 36, by inserting immediately after said line the following:

"105.493. 1. This section shall be known and may be cited as the "Fair Influence in Government Act".

2. No executive or quasi-executive department or state agency shall use any public resources to pay the costs of employing or contracting for the services of any person who lobbies on behalf of the executive or quasi-executive department or state agency in an attempt to influence the passage or defeat of any legislative measure including, but not limited to, measures related to firearms and gun control.

3. No executive or quasi-executive department or state agency shall use any public resources to pay any membership dues on behalf of the department or agency or any officer or employee of the department or agency to any organization or association if such dues directly or indirectly pay all or part of the salary of any person required to register as a lobbyist under this chapter in an attempt to influence the passage or defeat of any matter pending before a legislative committee in either chamber of the general assembly or before the general assembly including, but not limited to, matters related to firearms and gun control.

4. Any person who accepts public funds as compensation for lobbying in violation of this section may be prohibited from registering as a legislative lobbyist for a period not to exceed two years.

5. This section shall not be construed to prohibit, limit, preclude, or deprive any officer or employee of a department or agency from exercising the department's or agency's individual right to communicate with members of the general assembly through proper official channels at the request of a member, or to request legislative action or appropriations that are deemed necessary for the efficient conduct of public business or actually made in the proper performance of his or her official duties, including testifying before the general assembly or any committee thereof for informational purposes.

6. Any violation of this section by any executive or quasi-executive department or state agency that receives state funds shall result in a fine of not less than one thousand dollars but not more than five thousand dollars. The director or similar chief executive of such state agency shall be personally liable for such fine."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Corlew raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Adams offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 1452, Page 1, In the Title, Lines 2 and 3, by deleting the phrase "the filing of personal financial disclosure reports" and inserting in lieu thereof the word:

"ethics"; and

Further amend said bill, Page 2, Section 105.487, Line 36, by inserting after all of said section and line the following:

"[130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution.

2. Any individual currently holding office as a state representative, state senator, or any candidate for such office or such individual's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session of the general assembly, within forty-eight hours of receiving the contribution.

3. Any individual currently holding office as the governor, lieutenant governor, treasurer, attorney general, secretary of state or auditor or any candidate for such office or such person's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session or any time when legislation from the regular legislative session awaits gubernatorial action, within forty-eight hours of receiving the contribution.

4. Reports required under this section shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem necessary to promulgate for the effective administration of this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.]

130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which **is equal to or** exceeds [five] **two** thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution. [Such]

2. Any individual currently holding office as a state representative, state senator, or any candidate for such office or such individual's campaign committee shall electronically report any contribution equal to or exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session of the general assembly or any time when legislation from the regular legislative session awaits gubernatorial action, within forty-eight hours of receiving the contribution.

3. Any individual currently holding office as the governor, lieutenant governor, treasurer, attorney general, secretary of state, or auditor or any candidate for such office or such person's campaign committee shall electronically report any contribution equal to or exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session or any time when legislation from the regular legislative session awaits gubernatorial action, within forty-eight hours of receiving the contribution.

4. Reports **required under this section** shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem necessary to promulgate for the effective administration of this section.

[2.] **5.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ruth raised a point of order that **House Amendment No. 4** was not distributed timely.

The Chair ruled the point of order well taken.

Representative Kendrick offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Bill No. 1452, Page 1, In the Title, by removing the words "the filing of personal financial disclosure reports" and inserting in lieu thereof the word:

"ethics"; and

Further amend said bill, Page 2, Section 105.487, Line 36, by inserting immediately after said line the following:

"130.039. 1. In addition to the limitations imposed under section 130.031, the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, five thousand dollars;

(2) To elect an individual to the office of state senator, one thousand five hundred dollars;

(3) To elect an individual to the office of state representative, seven hundred fifty dollars;

(4) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census does not exceed fifty thousand, seven hundred fifty dollars;

(5) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is more than fifty thousand but does not exceed one hundred fifty thousand, one thousand five hundred dollars; and

(6) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is greater than one hundred fifty thousand, five thousand dollars.

2. The amount of aggregate contributions made by any single contributor in a calendar year to any political party committee shall not exceed thirty-two thousand four hundred dollars.

3. For purposes of this subsection, "base year amount" shall be the contribution limits prescribed in this section on January 1, 2017. Such limits shall be increased on the first day of January in each odd-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010, and rounded to the nearest twenty-five dollar amount, for all years since January 1, 2017.

4. Every committee established under this chapter shall be subject to the limits prescribed under subsection 1 of this section. The provisions of this subsection shall not limit the amount of contributions that may be accumulated by a candidate committee and used for expenditures to further the nomination or

election of the candidate who controls such candidate committee.

5. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. If the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and if such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.

6. Contributions received and expenditures made before January 1, 2017, shall be reported as a separate account and under the laws in effect at the time such contributions are received or expenditures made. Contributions received and expenditures made on or after January 1, 2017, shall be reported under the provisions of this chapter as a separate account from the other separate account described in this subsection. The account reported under the prior law shall be retained as a separate account and any remaining funds in such account may be used under this chapter.

7. Any committee that accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethics commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ruth raised a point of order that **House Amendment No. 5** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative McCann Beatty offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Bill No. 1452, Page 1, In the Title, Lines 2 and 3, by deleting the phrase "the filing of personal financial disclosure reports" and inserting in lieu thereof the phrase:

"ethics"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"105.450. As used in sections 105.450 to 105.496 and sections 105.955 to 105.963, unless the context clearly requires otherwise, the following terms mean:

(1) "Adversary proceeding", any proceeding in which a record of the proceedings may be kept and maintained as a public record at the request of either party by a court reporter, notary public or other person authorized to keep such record by law or by any rule or regulation of the agency conducting the hearing; or from which an appeal may be taken directly or indirectly, or any proceeding from the decision of which any party must be granted, on request, a hearing de novo; or any arbitration proceeding; or a proceeding of a personnel review board of a political subdivision; or an investigative proceeding initiated by an official, department, division, or agency which pertains to matters which, depending on the conclusion of the investigation, could lead to a judicial or administrative proceeding being initiated against the party by the official, department, division or agency;

(2) "Business entity", a corporation, association, firm, partnership, proprietorship, or business entity of any kind or character;

(3) "Business with which a person is associated":

(a) Any sole proprietorship owned by himself or herself, the person's spouse or any dependent child in the person's custody;

(b) Any partnership or joint venture in which the person or the person's spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the person is an officer or director or of which either the person or the person's spouse or dependent child in the person's custody whether singularly or collectively owns in excess of ten percent of the outstanding shares of any class of stock or partnership units; or

(c) Any trust in which the person is a trustee or settlor or in which the person or the person's spouse or dependent child whether singularly or collectively is a beneficiary or holder of a reversionary interest of ten percent or more of the corpus of the trust;

(4) "Commission", the Missouri ethics commission established in section 105.955;

(5) "Confidential information", all information whether transmitted orally or in writing which is of such a nature that it is not, at that time, a matter of public record or public knowledge;

(6) "Decision-making public servant", an official, appointee or employee of the offices or entities delineated in paragraphs (a) through (h) of this subdivision who exercises supervisory authority over the negotiation of contracts, or has the legal authority to adopt or vote on the adoption of rules and regulations with the force of law or exercises primary supervisory responsibility over purchasing decisions. The following officials or entities shall be responsible for designating a decision-making public servant:

(a) The governing body of the political subdivision with a general operating budget in excess of one million dollars;

(b) A department director;

(c) A judge vested with judicial power by Article V of the Constitution of the state of Missouri;

(d) Any commission empowered by interstate compact;

(e) A statewide elected official;

(f) The speaker of the house of representatives;

(g) The president pro tem of the senate;

(h) The president or chancellor of a state institution of higher education;

(7) "Dependent child" or "dependent child in the person's custody", all children, stepchildren, foster children and wards under the age of eighteen residing in the person's household and who receive in excess of fifty percent of their support from the person;

(8) **"Paid political consultant", a person who is paid or accepts anything of value to support or oppose the passage or defeat of a ballot measure or to promote the election of any candidate or the interest of an organization or committee, as such term is defined in section 130.011 including, but not limited to, planning campaign strategies; coordinating campaign staff; organizing meetings and public events to publicize the candidate or cause; public opinion polling; providing research on issues or opposition background; coordinating, producing, or purchasing print or broadcast media; direct mail production; phone solicitation; fund raising; and any other political activities;**

(9) "Political subdivision" shall include any political subdivision of the state, and any special district or subdistrict;

[(9)] (10) "Public document", a state tax return or a document or other record maintained for public inspection without limitation on the right of access to it and a document filed in a juvenile court proceeding;

[(10)] (11) "Substantial interest", ownership by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or of an interest having a value of ten thousand dollars or more, or the receipt by an individual, the individual's spouse or the individual's dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of five thousand dollars, or more, per year from any individual, partnership, organization, or association within any calendar year;

[(11)] (12) "Substantial personal or private interest in any measure, bill, order or ordinance", any interest in a measure, bill, order or ordinance which results from a substantial interest in a business entity.

105.479. Each paid political consultant shall, not later than January fifth of each year or five days after beginning any activities as a paid political consultant, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the consultant's name and business address, the name and address of each person, candidate, organization, or committee by whom such consultant is employed or in whose

interest such consultant appears or works, and whether such person or organization is a lobbyist or lobbyist principal. The commission shall maintain files on all consultant filings, which shall be open to the public. Each paid political consultant shall file an updating statement under oath within one week of any addition, deletion, or change in such persons employment or representation. The filing fee shall be deposited to the general revenue fund of the state. For the purposes of this section the terms "lobbyist" and "lobbyist principal" shall have the same meaning as in section 105.470 and the terms "candidate" and "committee" shall have the same meaning as in section 130.011."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wiemann raised a point of order that **House Amendment No. 6** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 116

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gosen	Haefner	Hansen	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 040

Anders	Arthur	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
Gardner	Green	Harris	Hubbard	Kendrick
Kirkton	Kratky	LaFaver	Lavender	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols

Norr	Otto	Pace	Peters	Rizzo
Rowland 29	Runions	Smith	Walton Gray	Webber

PRESENT: 000

ABSENT: 007

Adams	English	Haahr	Hummel	May
Mitten	Pierson			

VACANCIES: 000

On motion of Representative Hoskins, **HB 1452, as amended**, was ordered perfected and printed.

HB 1575, relating to personal financial disclosures, was again taken up by Representative Rowden.

On motion of Representative Rowden, **HB 1575** was ordered perfected and printed.

HB 1983, relating to paid political consultants, was again taken up by Representative Dogan.

Representative Lavender offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1983, Page 1, In the Title, by removing the words "paid political consultants" and inserting in lieu thereof the words:

"ethics and lobbying"; and

Further amend said bill, Page 3, Section 105.453, Line 8, by inserting after all of said section the following:

"Section 1. 1. Any public official who registers as a lobbyist shall immediately dissolve his or her candidate committee and any other committee over which he or she has control. In the course of dissolving any committee as required by this section, such officials shall not disburse money from any such committee over which he or she has control, except for the purpose of:

(1) Returning contributions made to the candidate committee to the entity responsible for making the contribution to the committee;

(2) Donating money to a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; or

(3) Donating money to a political party of their choosing.

2. Any candidate committee inactive for more than four years shall be immediately dissolved. In the course of dissolving any committee as required by this section, no moneys shall be disbursed except for the purpose of:

(1) Returning contributions made to the candidate committee to the entity responsible for making the contribution to the committee;

(2) Donating money to a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; or

(3) Donating money to a political party.

3. (1) For the purposes of this section, the terms "lobbyist" and "public official" shall have the same meaning as in section 105.470.

(2) For the purposes of this section, the term "candidate committee" shall have the same meaning as in section 130.011."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Corlew raised point of order that **House Amendment No. 1** is not germane to the bill and was not distributed timely.

The Chair ruled the first point of order well taken.

Representative Dunn offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 1983, Page 1, In the Title, by removing the words "paid political consultants" and inserting in lieu thereof the words:

"ethics"; and

Further amend said bill, Page 3, Section 105.453, Line 8, by inserting immediately after said line the following:

"115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 or sections 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless the candidate has filed a written declaration of candidacy in the office of the appropriate election official by 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

2. No declaration of candidacy for nomination in a primary election shall be accepted for filing prior to 8:00 a.m. on the last Tuesday in February immediately preceding the primary election.

3. Each declaration of candidacy for nomination in a primary election shall state the candidate's full name, residence address, office for which such candidate proposes to be a candidate, the party ticket on which he or she wishes to be a candidate and that if nominated and elected he or she will qualify. The declaration shall be in substantially the following form: I,, a resident and registered voter of the county of and the state of Missouri, residing at, do announce myself a candidate for the office of on the party ticket, to be voted for at the primary election to be held on the day of, ..., and I further declare that if nominated and elected to such office I will qualify.

I further declare that I am not a feigned candidate in order to conceal the candidacy of another or to divide the opposition. I acknowledge that my signature hereon may subject me to criminal prosecution and disciplinary action under the laws of this state if it is found by the ethics commission that I am a feigned candidate.

.....	Subscribed and sworn to
Signature of candidate	before me this day
	of,
.....
Residence address	Signature of election
	official or other officer
	authorized to administer oaths
.....	
Mailing address (if different)	
.....	
Telephone Number (Optional)	

If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate before an official authorized to accept his or her declaration of candidacy. If the declaration is to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall be subscribed and sworn to by the candidate before a

notary public or other officer authorized by law to administer oaths.

115.635. The following offenses, and any others specifically so described by law, shall be class three election offenses and are deemed misdemeanors connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by fine of not more than two thousand five hundred dollars, or by both such imprisonment and fine:

(1) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to procure, any money or valuable consideration, office, or place of employment, to or for any voter, to or for any person on behalf of any voter, or to or for any person, in order to induce any voter to vote or refrain from voting or corruptly doing any such act on account of such voter having already voted or refrained from voting at any election;

(2) Making use of, or threatening to make use of, any force, violence, or restraint, or inflicting or threatening to inflict any injury, damage, harm or loss upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election;

(3) Impeding or preventing, or attempting to impede or prevent, by abduction, duress or any fraudulent device or contrivance, the free exercise of the franchise of any voter or, by abduction, duress, or any fraudulent device, compelling, inducing, or prevailing upon any voter to vote or refrain from voting at any election;

(4) Giving, or making an agreement to give, any money, property, right in action, or other gratuity or reward, in consideration of any grant or deputation of office;

(5) Bringing into this state any nonresident person with intent that such person shall vote at an election without possessing the requisite qualifications;

(6) Asking for, receiving, or taking any money or other reward by way of gift, loan, or other device or agreeing or contracting for any money, gift, office, employment, or other reward, for giving, or refraining from giving, his or her vote in any election;

(7) Removing, destroying or altering any supplies or information placed in or near a voting booth for the purpose of enabling a voter to prepare his or her ballot;

(8) Entering a voting booth or compartment except as specifically authorized by law;

(9) On the part of any election official, challenger, watcher or person assisting a person to vote, revealing or disclosing any information as to how any voter may have voted, indicated that the person had voted except as authorized by this chapter, indicated an intent to vote or offered to vote, except to a grand jury or pursuant to a lawful subpoena in a court proceeding relating to an election offense;

(10) On the part of any registration or election official, refusing to permit any person to register to vote or to vote when such official knows the person is legally entitled to register or legally entitled to vote;

(11) Attempting to commit or participating in an attempt to commit any class one or class two election offense;

(12) Giving, lending, agreeing to give or lend, offering, promising, or endeavoring to procure any money or valuable consideration with the intent of inducing any person to run for any such office in this state if the person has a name that is identical or similar to another candidate for the same elective public office and would not otherwise run for elective public office but for the inducement. Campaign donations made in accordance with the laws of this state shall not be construed to be an inducement to run for elective public office under this subdivision."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wiemann raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative McCann Beatty offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 1983, Page 3, Section 105.453, Line 1, by inserting immediately after the phrase "**member of the general assembly**" , the phrase:

"or the paid staff and employees of such official or member"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 115

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gosen	Haahr	Haefner	Hansen	Hicks
Higdon	Hill	Hinson	Hoskins	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus
Kelley	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mathews
McCaherty	McDaniel	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 041

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Harris	Hubbard
Kendrick	Kirkton	Kratky	LaFaver	Lavender
McCann Beatty	McCreery	McDonald	McGee	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Rizzo	Rowland 29	Runions	Smith	Walton Gray
Webber				

PRESENT: 000

ABSENT: 007

English	Fitzwater 144	Hough	Hummel	May
Mitten	Pierson			

VACANCIES: 000

Representative McCann Beatty moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative McCann Beatty:

AYES: 052

Adams	Alferman	Anders	Arthur	Bernskoetter
Berry	Burlison	Burns	Butler	Carpenter
Colona	Conway 10	Cornejo	Dogan	Dunn
Gardner	Gosen	Haefner	Harris	Hinson
Hoskins	Jones	Kendrick	King	Kirkton
Korman	Kratky	Lavender	Marshall	McCann Beatty
McDaniel	McDonald	McGaugh	McGee	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Peters	Pogue
Rizzo	Ross	Rowland 29	Runions	Smith
Walton Gray	Webber			

NOES: 102

Allen	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Black	Bondon
Brattin	Brown 57	Brown 94	Chipman	Cierpiot
Conway 104	Cookson	Crowley	Crawford	Cross
Curtis	Curtman	Davis	Dohrman	Dugger
Eggleston	Ellington	Engler	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Hansen	Hicks
Higdon	Hill	Houghton	Hubbard	Hubrecht
Hurst	Johnson	Justus	Kelley	Kidd
Koenig	Kolkmeier	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mathews	McCaherty	McCreery	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfausch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

PRESENT: 001

Green

ABSENT: 008

English	Hough	Hummel	May	Mitten
Pace	Pierson	Solon		

VACANCIES: 000

On motion of Representative Dogan, **HB 1983** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 59 - Government Oversight and Accountability

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1462 - Workforce Standards and Development
HB 1481 - Public Safety and Emergency Preparedness
HB 1482 - Public Safety and Emergency Preparedness
HB 1489 - Public Safety and Emergency Preparedness
HB 1491 - Public Safety and Emergency Preparedness
HB 1492 - Public Safety and Emergency Preparedness
HB 1494 - Public Safety and Emergency Preparedness
HB 1501 - Public Safety and Emergency Preparedness
HB 1502 - Public Safety and Emergency Preparedness
HB 1503 - Public Safety and Emergency Preparedness
HB 1504 - Public Safety and Emergency Preparedness
HB 1516 - Public Safety and Emergency Preparedness
HB 1520 - Public Safety and Emergency Preparedness
HB 1521 - Public Safety and Emergency Preparedness
HB 1522 - Public Safety and Emergency Preparedness
HB 1523 - Public Safety and Emergency Preparedness
HB 1526 - Public Safety and Emergency Preparedness
HB 1535 - Public Safety and Emergency Preparedness
HB 1536 - Public Safety and Emergency Preparedness
HB 1540 - Workforce Standards and Development
HB 1560 - Public Safety and Emergency Preparedness
HB 1568 - Public Safety and Emergency Preparedness
HB 1578 - Emerging Issues
HB 1586 - Emerging Issues
HB 1699 - Workforce Standards and Development
HB 1700 - Workforce Standards and Development
HB 1701 - Workforce Standards and Development
HB 1702 - Workforce Standards and Development
HB 1704 - Government Oversight and Accountability
HB 1722 - Workforce Standards and Development
HB 1740 - Workforce Standards and Development
HB 1782 - Conservation and Natural Resources
HB 1855 - Health and Mental Health Policy
HB 1872 - Transportation
HB 1880 - Workforce Standards and Development

- HB 1890** - Public Safety and Emergency Preparedness
- HB 1891** - Workforce Standards and Development
- HB 1902** - Workforce Standards and Development
- HB 1931** - Workforce Standards and Development
- HB 1958** - Transportation
- HB 2136** - Transportation
- HB 2137** - Government Oversight and Accountability
- HB 2142** - Emerging Issues
- HB 2148** - Workforce Standards and Development
- HB 2165** - Government Oversight and Accountability
- HB 2166** - Government Oversight and Accountability
- HB 2187** - Conservation and Natural Resources
- HB 2196** - Emerging Issues
- HB 2200** - Government Oversight and Accountability

COMMITTEE REPORTS

Committee on Small Business, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1870**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(4) be referred to the Select Committee on Commerce.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 74, introduced by Representative Kirkton, relating to Falun Gong practitioners.

HCR 75, introduced by Representative Smith, relating to Operation Large Area Coverage (LAC).

HCR 76, introduced by Representative Gardner, relating to the designation of Missouri No Smoking/No Tobacco Day.

HCR 77, introduced by Representative Gardner, relating to the designation of the Maya Angelou Day of Recognition in Missouri.

HCR 78, introduced by Representative Gardner, relating to the designation of the Nelson Mandela Day of Recognition in Missouri.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 79, introduced by Representative Swan, relating to campaign contributions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2201, introduced by Representative Lavender, relating to MO HealthNet services.

HB 2202, introduced by Representative Haefner, relating to the records of victims of sexual offenses.

HB 2203, introduced by Representative Barnes, relating solely to investment of campaign funds.

HB 2204, introduced by Representative Newman, relating to sexual assault policies of institutions of higher education.

HB 2205, introduced by Representative Newman, relating to permits to purchase firearms.

HB 2206, introduced by Representative Curtis, relating to nonprofit hospitals.

HB 2207, introduced by Representative Curtis, relating to youth.

HB 2208, introduced by Representative Gosen, relating to the advertising of intoxicating liquor.

HB 2209, introduced by Representative Barnes, relating to the public service commission.

HB 2210, introduced by Representative Barnes, relating to the public service commission.

HB 2211, introduced by Representative McNeil, relating to health insurance premium rate reviews.

HB 2212, introduced by Representative Hinson, relating to mandated reporters of elder abuse.

HB 2213, introduced by Representative Hinson, relating to the Missouri compassionate care act, with penalty provisions.

HB 2214, introduced by Representative Frederick, relating to the authority to engage in certain investigative practices, with penalty provisions.

HB 2215, introduced by Representative Davis, relating to business fees.

HB 2216, introduced by Representative Crawford, relating to the department of revenue technology fund.

HB 2217, introduced by Representative Morris, relating to fees for optometric and ophthalmic services.

HB 2218, introduced by Representative Messenger, relating to medical device providers.

HB 2219, introduced by Representative Brattin, relating to firearms in foster homes.

HB 2220, introduced by Representative Brattin, relating to the state budget.

HB 2221, introduced by Representative Swan, relating to ethics.

HB 2222, introduced by Representative Swan, relating to restrictions on certain activities for former members of the general assembly.

HB 2223, introduced by Representative Swan, relating to complaints filed with the ethics commission.

HB 2224, introduced by Representative Chipman, relating to the expungement of records.

HB 2225, introduced by Representative Leara, relating to tax credits for redevelopment projects.

HB 2226, introduced by Representative Barnes, relating solely to adding special executive branch appointees to the definition of public official.

HB 2227, introduced by Representative Barnes, relating to powers of a regional convention and sports complex authority.

HB 2228, introduced by Representative Barnes, relating to paid parental leave for state employees.

HB 2229, introduced by Representative Ross, relating to lobbyists, with a penalty provision.

HB 2230, introduced by Representative Ross, relating to boat passengers.

HB 2231, introduced by Representative Houghton, relating to the Missouri qualified solid biomass fuel producer incentive fund.

HB 2232, introduced by Representative McNeil, relating to maintaining a list of board members appointed by the governor.

HB 2233, introduced by Representative May, relating to transportation network companies.

HB 2234, introduced by Representative Dohrman, relating to the establishment of a specialized department of higher education website.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 55**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 55**.

Senators: Schmitt, Pearce, Schaefer, Romine, Hegeman, Keaveny, Sifton, Walsh, Curls, and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 56**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 56**.

Senators: Schmitt, Pearce, Schaefer, Dixon, Onder, Keaveny, Sifton, Nasheed, Chappelle-Nadal, and Schupp.

COMMITTEE CHANGES

January 13, 2016

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Robert Cornejo and Representative Joe Don McGaugh to serve on the Joint Legislative Committee on Court Automation.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Todd Richardson
Speaker of the Missouri House of Representatives
152nd District

January 13, 2016

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Tom McDonald from the Select Committee on State and Local Government and appoint Representative Rochelle Walton Gray and Representative Joe Adams.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

WITHDRAWAL OF HOUSE BILLS

Mr. D. Adam Crumbliss
Chief Clerk
Missouri State Capitol Building
Room 317A
Jefferson City, MO 65101

Dear Clerk Crumbliss:

I would like to respectfully request that **HB 1810** be withdrawn for consideration.

Should any questions arise please contact my office.

Thank you in advance for your assistance.

Sincerely,

/s/ Don Gosen
101st District

The following member's presence was noted: Pierson.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, January 14, 2016.

COMMITTEE HEARINGS

APPROPRIATIONS - AGRICULTURE, CONSERVATION, AND NATURAL RESOURCES

Wednesday, January 20, 2016, 1:00 PM, House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Organizational Meeting - Meet and greet with Department of Agriculture, Department of Conservation and Department of Natural Resources.

APPROPRIATIONS - ELEMENTARY AND SECONDARY EDUCATION

Tuesday, January 19, 2016, 1:00 PM, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Organizational meeting. We will take public testimony regarding the appropriations for Elementary and Secondary Education. If you would like to be on the list to testify, please call Nina Dean at 573-751-9768. We will also have a sign in sheet at the hearing.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 19, 2016, 2:00 PM, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

2016 Supplemental Budget

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 20, 2016, 12:00 PM, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Continuation of Supplemental Budget Requests, as needed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 20, 2016, 2:00 PM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Organizational Meeting, Public Testimony

CHILDREN AND FAMILIES

Tuesday, January 19, 2016, 11:00 AM, House Hearing Room 1.

Public hearing will be held: HB 1370, HB 1433, HB 1565, HB 1877

Executive session may be held on any matter referred to the committee.

***Corrected time: The House Children and Families Committee will convene at 11 AM, Tuesday, January 19. CORRECTED

ELECTIONS

Tuesday, January 19, 2016, 1:00 PM, House Hearing Room 3.

Public hearing will be held: HB 1474, HB 1479, HB 1778

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, January 19, 2016, Upon Adjournment, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Various educational groups will be presenting their 2016 legislative agenda.

EMERGING ISSUES IN EDUCATION

Tuesday, January 19, 2016, 1:00 PM, House Hearing Room 7.

Public hearing will be held: HB 1546, HB 1601, HB 1612, HB 1367, HB 1419

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, January 14, 2016, 9:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

Executive session on bill(s) referred to the committee.

CANCELLED

HEALTH AND MENTAL HEALTH POLICY

Tuesday, January 19, 2016, 5:00 PM, House Hearing Room 6.

Public hearing will be held: HB 1553, HB 1658, HB 1608, HB 1850
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, February 9, 2016, Upon Adjournment, House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Department of Elementary and Secondary Education ESSA Presentation and Department of Higher Education Coordinated Plan for Higher Education Presentation.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, January 28, 2016, 9:00 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
First quarter meeting. Portions of the meeting may be closed pursuant to Section 610.021, RSMo.

LOCAL GOVERNMENT

Tuesday, January 19, 2016, 12:00 PM, House Hearing Room 5.
Public hearing will be held: HB 1421, HB 1533, HB 1556, HB 1603, HB 1634, HB 1593
Executive session may be held on any matter referred to the committee.
AMENDED

PENSIONS

Tuesday, January 26, 2016, 9:00 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Presentations by LAGERS, MOSERS, PSRS/PEERS and MPERS and introducing Michael Ruff, Executive Director of Joint Committee on Public Employee Retirement.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Tuesday, January 19, 2016, Upon Conclusion of Afternoon Session, House Hearing Room 5.
Public hearing will be held: HB 1576, HB 1577, HB 1964, HB 1401, HB 1568
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON AGRICULTURE

Thursday, January 14, 2016, 8:30 AM, House Hearing Room 4.
Executive session will be held: HCR 58
Executive session may be held on any matter referred to the committee.

SELECT COMMITTEE ON STATE AND LOCAL GOVERNMENTS

Thursday, January 14, 2016, 8:00 AM, House Hearing Room 1.
Executive session will be held: HB 1631, HJR 53
Executive session may be held on any matter referred to the committee.
AMENDED

WAYS AND MEANS

Tuesday, January 19, 2016, 5:00 PM, House Hearing Room 1.
Public hearing will be held: HB 1435, HB 1582
Executive session may be held on any matter referred to the committee.

WORKFORCE STANDARDS AND DEVELOPMENT

Tuesday, January 19, 2016, 12:00 PM, House Hearing Room 5.

Public hearing will be held: HB 1891

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 14, 2016

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 74 through HCR 78

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 79

HOUSE BILLS FOR SECOND READING

HB 2201 through HB 2234

HOUSE BILLS FOR THIRD READING

HB 1979 - Rowden

HB 1452 - Hoskins

HB 1575 - Rowden

HB 1983 - Dogan

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

SCS HCS HB 1 - Flanigan

CCS SCS HCS HB 2 - Flanigan

CCS SCS HCS HB 3 - Flanigan

CCS SCS HCS HB 4 - Flanigan

CCS SCS HCS HB 5 - Flanigan

CCS SCS HCS HB 6 - Flanigan

CCS SCS HCS HB 7 - Flanigan

CCS SCS HCS HB 8 - Flanigan

CCS SCS HCS HB 9 - Flanigan

CCS SCS HCS HB 10 - Flanigan

CCS SCS HCS HB 11 - Flanigan

CCS SS SCS HCS HB 12 - Flanigan

CCS SCS HCS HB 13 - Flanigan

SS SCS HCS HB 17 - Flanigan

SCS HCS HB 18 - Flanigan

