

SECOND REGULAR SESSION

HOUSE BILL NO. 776

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON (47).

Pre-filed December 1, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2716L.011

AN ACT

To repeal section 130.032, RSMo, and to enact in lieu thereof one new section relating to limitations on campaign contributions.

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

Section A. Section 130.032, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 130.032, to read as follows:

130.032. 1. In addition to the limitations imposed pursuant to 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, [one] **two** thousand dollars;

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

(3) To elect an individual to the office of state representative, [two] **five** 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 is under one hundred thousand, [two] **five** 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 at least one hundred thousand but less than two hundred fifty thousand, [five hundred] **one thousand** dollars; and

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

17 (6) To elect an individual to any other office, including judicial office, if the population
18 of the electoral district, ward, or other unit according to the latest decennial census is at least two
19 hundred fifty thousand, [one] **two** thousand dollars.

20 2. For purposes of this subsection "base year amount" shall be the contribution limits
21 prescribed in this section on January 1, 1995. Such limits shall be increased on the first day of
22 January in each even-numbered year by multiplying the base year amount by the cumulative
23 consumer price index, as defined in section 104.010, RSMo, and rounded to the nearest
24 twenty-five-dollar amount, for all years since January 1, 1995.

25 3. Candidate committees, exploratory committees, campaign committees [and],
26 continuing committees, [other than those continuing committees which are] **and** political party
27 committees, shall be subject to the limits prescribed in subsection 1 of this section. The
28 provisions of this subsection shall not limit the amount of contributions which may be
29 accumulated by a candidate committee and used for expenditures to further the nomination or
30 election of the candidate who controls such candidate committee[, except as provided in section
31 130.052].

32 4. Except as limited by this subsection, the amount of cash contributions, and a separate
33 amount for the amount of in-kind contributions, made by or accepted from a political party
34 committee in any one election shall not exceed the following:

35 (1) To elect an individual to the office of governor, lieutenant governor, secretary of
36 state, state treasurer, state auditor or attorney general, [ten] **one** thousand dollars;

37 (2) To elect an individual to the office of state senator, five [thousand] **hundred** dollars;

38 (3) To elect an individual to the office of state representative, two [thousand five]
39 hundred **fifty** dollars; and

40 (4) To elect an individual to any other office of an electoral district, ward or unit, [ten
41 times] the allowable contribution limit for the office sought.

42

43 The amount of contributions which may be made by or accepted from a political party committee
44 in the primary election to elect any candidate who is unopposed in such primary shall be fifty
45 percent of the amount of the allowable contributions as determined in this subsection.

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

52 6. Contributions received and expenditures made prior to January 1, 1995, shall be
53 reported as a separate account and pursuant to the laws in effect at the time such contributions
54 are received or expenditures made. Contributions received and expenditures made after January
55 1, 1995, shall be reported as a separate account from the aforementioned account and pursuant
56 to the provisions of this chapter. The account reported pursuant to the prior law shall be retained
57 as a separate account and any remaining funds in such account may be used pursuant to this
58 chapter [and section 130.034].

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