

SECOND REGULAR SESSION

# HOUSE BILL NO. 2149

## 93RD GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES HARRIS (23) (Sponsor), LeVOTA, WRIGHT-JONES, DONNELLY, BAKER (25), ZWEIFEL, STORCH, CASEY, BOGETTO, OXFORD, CURLS, WITTE, KUESSNER, DARROUGH, FRAME, SWINGER, HOSKINS, WILDBERGER, BURNETT, ROORDA, MEADOWS AND AULL (Co-sponsors).

Read 1st time March 31, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5647L.02I

---

### AN ACT

To repeal sections 105.456, 105.473, 105.483, 105.485, 105.487, 130.032, 130.046, and 576.010, RSMo, and to enact in lieu thereof thirteen new sections relating to ethics, with penalty provisions.

---

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

Section A. Sections 105.456, 105.473, 105.483, 105.485, 105.487, 130.032, 130.046, and 576.010, RSMo, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 36.153, 105.455, 105.456, 105.463, 105.471, 105.473, 105.483, 105.485, 105.487, 130.032, 130.039, 130.046, and 576.010, to read as follows:

**36.153. No employee of the general assembly or employee of any elected statewide officer of the state shall receive compensation for activities on behalf of political parties or a political campaign.**

**105.455. 1. No public official appointed to any office by the governor with the advice and consent of the senate shall directly or indirectly make any contribution to, or hold office in, any political party or political organization or take part in any political campaign during such official's term of office.**

**2. The letter of transmittal to the senate announcing an appointment of a public official shall include a listing of any contribution, as defined in chapter 130, RSMo, made by the appointee during the two years immediately preceding the appointment.**

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

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.

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

36 than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of  
37 the outstanding shares of any class of stock, shall:

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

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

49 **3. No member of the general assembly shall accept from a legislative lobbyist or the**  
50 **lobbyist's principal meals, food, beverages, or other gifts if any single item has a value of**  
51 **more than fifty dollars or if all items accepted by any member in any calendar year from**  
52 **a legislative lobbyist or the lobbyist's principal exceed a value of one hundred dollars in**  
53 **the aggregate.**

**105.463. Any statewide elected official or member of the general assembly shall file**  
2 **with the commission a report stating that a private party, not otherwise required by law**  
3 **to disclose as a matter of public record, has provided such elected official or member of the**  
4 **general assembly with the use of an airplane, the full cost of the operation of the flight, and**  
5 **the passenger manifest within seventy-two hours after such flight.**

**105.471. No lobbyist shall pay for out-of-state travel for any member of the general**  
2 **assembly.**

105.473. 1. Each lobbyist shall, not later than five days after beginning any activities  
2 as a lobbyist, file standardized registration forms, verified by a written declaration that it is made  
3 under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The  
4 forms shall include the lobbyist's name and business address, the name and address of all persons  
5 such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal  
6 by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The  
7 commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each  
8 lobbyist shall file an updating statement under oath within one week of any addition, deletion,  
9 or change in the lobbyist's employment or representation. The filing fee shall be deposited to the  
10 general revenue fund of the state. The lobbyist principal or a lobbyist employing another person  
11 for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist

12 is no longer authorized to lobby for the principal or the lobbyist and should be removed from the  
13 commission's files.

14         2. Each person shall, before giving testimony before any committee of the general  
15 assembly, give to the secretary of such committee such person's name and address and the  
16 identity of any lobbyist or organization, if any, on whose behalf such person appears. A person  
17 who is not a lobbyist as defined in section 105.470 shall not be required to give such person's  
18 address if the committee determines that the giving of such address would endanger the person's  
19 physical health.

20         3. (1) During any period of time in which a lobbyist continues to act as an executive  
21 lobbyist, judicial lobbyist or a legislative lobbyist, the lobbyist shall file with the commission on  
22 standardized forms prescribed by the commission monthly reports which shall be due at the close  
23 of business on the tenth day of the following month;

24         (2) Each report filed pursuant to this subsection shall include a statement, verified by a  
25 written declaration that it is made under the penalties of perjury, setting forth the following:

26         (a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on  
27 behalf of all public officials, their staffs and employees, and their spouses and dependent  
28 children, which expenditures shall be separated into at least the following categories by the  
29 executive branch, judicial branch and legislative branch of government: printing and publication  
30 expenses; media and other advertising expenses; travel; entertainment; honoraria; meals, food  
31 and beverages; and gifts;

32         (b) An itemized listing of the name of the recipient and the nature and amount of each  
33 expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of  
34 value, for all expenditures made during any reporting period, paid or provided to or for a public  
35 official, such official's staff, employees, spouse or dependent children;

36         (c) The total of all expenditures made by a lobbyist or lobbyist principal for occasions  
37 and the identity of the group invited, the date and description of the occasion and the amount of  
38 the expenditure for each occasion when any of the following are invited in writing:

39             a. All members of the senate;

40             b. All members of the house of representatives;

41             c. All members of a joint committee of the general assembly or a standing committee of  
42 either the house of representatives or senate; or

43             d. All members of a caucus of the general assembly if the caucus consists of at least ten  
44 members, a list of the members of the caucus has been previously filed with the ethics committee  
45 of the house or the senate, and such list has been approved by either of such ethics committees;

46         (d) Any expenditure made on behalf of a public official, or the public official's staff,  
47 employees, spouse or dependent children, if such expenditure is solicited by such public official,

48 the public official's staff, employees, or spouse or dependent children, from the lobbyist or his  
49 or her lobbyist principals and the name of such person or persons, except any expenditures made  
50 to any not-for-profit corporation, charitable, fraternal or civic organization or other association  
51 formed to provide for good in the order of benevolence;

52 (e) A statement detailing any direct business relationship or association or partnership  
53 the lobbyist has with any public official.

54 The reports required by this subdivision shall cover the time periods since the filing of the last  
55 report or since the lobbyist's employment or representation began, whichever is most recent.

56 4. No expenditure reported pursuant to this section shall include any amount expended  
57 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to  
58 this section shall be valued on the report at the actual amount of the payment made, or the  
59 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the  
60 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures  
61 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of  
62 such lobbyists.

63 5. Any lobbyist principal shall provide in a timely fashion whatever information is  
64 reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by  
65 this section.

66 6. All information required to be filed pursuant to the provisions of this section with the  
67 commission shall be kept available by the executive director of the commission at all times open  
68 to the public for inspection and copying for a reasonable fee for a period of five years from the  
69 date when such information was filed.

70 7. No person shall knowingly employ any person who is required to register as a  
71 registered lobbyist but is not registered pursuant to this section. Any person who knowingly  
72 violates this subsection shall be subject to a civil penalty in an amount of not more than ten  
73 thousand dollars for each violation. Such civil penalties shall be collected by action filed by the  
74 commission.

75 8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information  
76 required pursuant to this section.

77 9. The prosecuting attorney of Cole County shall be reimbursed only out of funds  
78 specifically appropriated by the general assembly for investigations and prosecutions for  
79 violations of this section.

80 10. Any public official or other person whose name appears in any lobbyist report filed  
81 pursuant to this section who contests the accuracy of the portion of the report applicable to such  
82 person may petition the commission for an audit of such report and shall state in writing in such  
83 petition the specific disagreement with the contents of such report. The commission shall

84 investigate such allegations in the manner described in section 105.959. If the commission  
85 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter  
86 an order requiring filing of an amended or corrected report.

87       11. The commission shall provide a report listing the total spent by a lobbyist for the  
88 month and year to any member or member-elect of the general assembly, judge or judicial  
89 officer, or any other person holding an elective office of state government on or before the  
90 twentieth day of each month. For the purpose of providing accurate information to the public,  
91 the commission shall not publish information in either written or electronic form for ten working  
92 days after providing the report pursuant to this subsection. The commission shall not release any  
93 portion of the lobbyist report if the accuracy of the report has been questioned pursuant to  
94 subsection 10 of this section unless it is conspicuously marked "Under Review".

95       12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose  
96 behalf the lobbyist acted, shall provide a general description of the proposed legislation or action  
97 by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or  
98 opposed.  
99 This information shall be supplied to the commission on March fifteenth and May thirtieth of  
100 each year.

101       **13. Each lobbyist shall disclose in each monthly report filed by the lobbyist under**  
102 **this section the amount of any new contract for such lobbyist's services entered into since**  
103 **the filing of the last required report.**

104       **14. Notwithstanding any other provision of law, all expenditures made by a lobbyist**  
105 **or lobbyist principal for occasions involving any caucus of the general assembly shall be**  
106 **apportioned and reported as an expenditure on behalf of each public official in attendance**  
107 **at such occasion.**

108       **15. All expenditures classified as gifts under this section made or provided during**  
109 **any reporting period to any public official's staff, employees, spouse, or dependent children**  
110 **shall be reported as a gift to such public official.**

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

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

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

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

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

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

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

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

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

25 (9) Any member of a commission appointed or operating pursuant to sections 64.650 to  
26 64.950, RSMo, sections 67.650 to 67.658, RSMo, or sections 70.840 to 70.859, RSMo;

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

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

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

38 (13) **A designated employee of the speaker of the house of representatives, the**  
39 **president pro tem of the senate, the speaker pro tem of the house of representatives, the**  
40 **majority floor leader of the house and senate, the minority floor leader of the house and**  
41 **senate, the assistant majority floor leader of the house and senate, and the assistant**  
42 **minority floor leader of the house and senate.**

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

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

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

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

(3) The name [and], address [of], **and amount of income received from** any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name



37 of any publicly traded corporation or limited partnership which is listed on a regulated stock  
38 exchange or automated quotation system need be reported pursuant to this subdivision;

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

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

57 (6) The name and address of each corporation for which such person served in the  
58 capacity of a director, officer or receiver;

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

65 (8) The name and address of each source from which such person received a gift or gifts,  
66 or honorarium or honoraria in excess of two hundred dollars in value per source during the year  
67 covered by the statement other than gifts from persons within the third degree of consanguinity  
68 or affinity of the person filing the financial interest statement. For the purposes of this section,  
69 a gift shall not be construed to mean political contributions otherwise required to be reported by  
70 law or hospitality such as food, beverages or admissions to social, art, or sporting events or the  
71 like, or informational material. For the purposes of this section, a gift shall include gifts to or

72 by creditors of the individual for the purpose of canceling, reducing or otherwise forgiving the  
73 indebtedness of the individual to that creditor;

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

77 (a) Paid in the ordinary course of business for businesses described in subdivisions (1),  
78 (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

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

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

82 (d) Expenses which are reported by the campaign committee or candidate committee of  
83 the person filing the statement pursuant to the provisions of chapter 130, RSMo; or

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

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

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

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

96 (b) Is a lobbyist; or

97 (c) Is a fee agent of the department of revenue.

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

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

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

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

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

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

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

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

          105.487. The financial interest statements shall be filed at the following times, but no  
2 person is required to file more than one financial interest statement in any calendar year:

3 (1) Each candidate for elective office, except those candidates for county committee of  
4 a political party pursuant to section 115.609, RSMo, or section 115.611, RSMo, who is required  
5 to file a personal financial disclosure statement shall file a financial interest statement no later  
6 than fourteen days after the close of filing at which the candidate seeks nomination or election,  
7 and the statement shall be for the twelve months prior to the closing date, except that in the event  
8 an individual does not become a candidate until after the date of certification for candidates, the  
9 statement shall be filed within fourteen days of the individual's nomination by caucus. An  
10 individual required to file a financial interest statement because of the individual's candidacy for  
11 office prior to a primary election in accordance with this section is also required to amend such  
12 statement no later than the close of business on Monday prior to the general election to reflect  
13 any changes in financial interest during the interim. The appropriate election authority shall  
14 provide to the candidate at the time of filing for election written notice of the candidate's  
15 obligation to file pursuant to sections 105.483 to 105.492 and the candidate shall sign a statement  
16 acknowledging receipt of such notice;

17 (2) Each person appointed to office, except any person elected for county committee of  
18 a political party pursuant to section 115.617, RSMo, and each official or employee described in  
19 section 105.483 who is not otherwise covered in this subsection shall file the statement within  
20 thirty days of such appointment or employment;

21 (3) Every other person required by sections 105.483 to 105.492 to file a financial interest  
22 statement shall file the statement annually not later than the first day of May and the statement  
23 shall cover the calendar year ending the immediately preceding December thirty-first; provided  
24 that the governor, lieutenant governor, any member of the general assembly or any member of  
25 the governing body of a political subdivision may supplement such person's financial interest  
26 statement to report additional interests acquired after December thirty-first of the covered year  
27 until the date of filing of the financial interest statement;

28 (4) The deadline for filing any statement required by sections 105.483 to 105.492 shall  
29 be 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls  
30 on a Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00  
31 p.m. on the next day which is not a Saturday or Sunday or official holiday. Any statement  
32 required within a specified time shall be deemed to be timely filed if it is postmarked not later  
33 than midnight of the day previous to the last day designated for filing the statement;

34 **(5) Such financial interest statement filed with the Missouri ethics commission shall**  
35 **be filed electronically.**

130.032. 1. In addition to the limitations imposed pursuant to section 130.031, the  
2 amount of contributions [made by or accepted from any person other than the] **from a judicial**

3 **circuit committee or congressional district committee to any** candidate in any one election  
4 shall not exceed the following:

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

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

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

9 (4) To elect an individual to any other office, including judicial office, if the population  
10 of the electoral district, ward, or other unit according to the latest decennial census is under one  
11 hundred thousand, two hundred fifty dollars;

12 (5) To elect an individual to any other office, including judicial office, if the population  
13 of the electoral district, ward, or other unit according to the latest decennial census is at least one  
14 hundred thousand but less than two hundred fifty thousand, five hundred dollars; and

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

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

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

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

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

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

35 (3) To elect an individual to the office of state representative, two thousand five hundred  
36 dollars; and

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

39 The amount of contributions which may be made by or accepted from a political party committee  
40 in the primary election to elect any candidate who is unopposed in such primary shall be fifty  
41 percent of the amount of the allowable contributions as determined in this subsection. **No**  
42 **legislative district committee or senatorial district committee established under sections**  
43 **115.603 to 115.627, RSMo, shall make any contribution to any candidate for the office of**  
44 **state representative, state senator, or any statewide elected office.**

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

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

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

68 **8. No legislative district committee shall receive more than the amount allowable**  
69 **under subdivision (3) of subsection 1 of this section from any person for each calendar**  
70 **year.**

71 **9. No senatorial district committee, judicial circuit committee, or congressional**  
72 **district committee shall receive more than the amount allowable under subdivision (2) of**  
73 **subsection 1 of this section from any person for each calendar year.**

74           **10. No candidate for the house of representatives, senate, or a statewide elected**  
75 **office shall accept any contributions from the first Wednesday after the first Monday in**  
76 **January through the thirtieth day of May of each year. Candidates for special election to**  
77 **the house of representatives, senate, or statewide elected office may accept contributions**  
78 **from the date of the candidate's nomination by his or her respective political party until**  
79 **thirty days after the date of the election.**

**130.039. 1. For purposes of this section:**

2           (1) "Election", the election held to elect an individual to any of the general  
3 assembly leadership offices stated in this section. Election does not include any primary,  
4 general, or special election held to nominate or elect an individual to public office;

5           (2) "General assembly leadership office", the speaker of the house of  
6 representatives and the president pro tem of the senate.

7           **2. Any candidate in the election for speaker of the house of representatives and**  
8 **president pro tem of the senate shall be subject to the same contribution limitations and**  
9 **disclosure report filing times to the Missouri ethics commission as any candidate for the**  
10 **office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or**  
11 **attorney general. Such reports required by this section shall be filed electronically as**  
12 **required in this chapter.**

13           **3. No general assembly leadership office committee shall make any contribution or**  
14 **expenditure to the candidate committee of the candidate for whom the general assembly**  
15 **leadership office committee is established.**

16           **4. This section shall become effective January 1, 2007.**

**130.046. 1. The disclosure reports required by section 130.041 for all committees shall**  
2 **be filed as follows: each candidate for state representative, state senate, or statewide**  
3 **elected office shall file the disclosure reports required by section 130.041 on the last day of**  
4 **each month for a period closing on the twenty-fifth day of the month until eight days prior**  
5 **to an election. In nonelection years, the reports shall be filed not later than the fifteenth**  
6 **day after the close of each calendar quarter. All committees and candidates shall file at the**  
7 following times and for the following periods:

8           (1) Not later than the eighth day before an election for the period closing on the twelfth  
9 day before the election if the committee has made any contribution or expenditure either in  
10 support or opposition to any candidate or ballot measure;

11           (2) Not later than the thirtieth day after an election for a period closing on the  
12 twenty-fifth day after the election, if the committee has made any contribution or expenditure  
13 either in support of or opposition to any candidate or ballot measure; except that, a successful  
14 candidate who takes office prior to the twenty-fifth day after the election shall have complied

15 with the report requirement of this subdivision if a disclosure report is filed by such candidate  
16 and any candidate committee under the candidate's control before such candidate takes office,  
17 and such report shall be for the period closing on the day before taking office; and

18 (3) Not later than the fifteenth day following the close of each calendar quarter.

19

20 Notwithstanding the provisions of this subsection, if any committee accepts contributions or  
21 makes expenditures in support of or in opposition to a ballot measure or a candidate, and the  
22 report required by this subsection for the most recent calendar quarter is filed prior to the fortieth  
23 day before the election on the measure or candidate, the committee shall file an additional  
24 disclosure report not later than the fortieth day before the election for the period closing on the  
25 forty-fifth day before the election.

26 2. In the case of a ballot measure to be qualified to be on the ballot by initiative petition  
27 or referendum petition, or a recall petition seeking to remove an incumbent from office,  
28 disclosure reports relating to the time for filing such petitions shall be made as follows:

29 (1) In addition to the disclosure reports required to be filed pursuant to subsection 1 of  
30 this section the treasurer of a committee, other than a continuing committee, supporting or  
31 opposing a petition effort to qualify a measure to appear on the ballot or to remove an incumbent  
32 from office shall file an initial disclosure report fifteen days after the committee begins the  
33 process of raising or spending money. After such initial report, the committee shall file quarterly  
34 disclosure reports as required by subdivision (3) of subsection 1 of this section until such time  
35 as the reports required by subdivisions (1) and (2) of subsection 1 of this section are to be filed.  
36 In addition the committee shall file a second disclosure report no later than the fifteenth day after  
37 the deadline date for submitting such petition. The period covered in the initial report shall begin  
38 on the day the committee first accepted contributions or made expenditures to support or oppose  
39 the petition effort for qualification of the measure and shall close on the fifth day prior to the date  
40 of the report;

41 (2) If the measure has qualified to be on the ballot in an election and if a committee  
42 subject to the requirements of subdivision (1) of this subsection is also required to file a  
43 preelection disclosure report for such election any time within thirty days after the date on which  
44 disclosure reports are required to be filed in accordance with subdivision (1) of this subsection,  
45 the treasurer of such committee shall not be required to file the report required by subdivision  
46 (1) of this subsection, but shall include in the committee's preelection report all information  
47 which would otherwise have been required by subdivision (1) of this subsection.

48 3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file  
49 disclosure reports pursuant to this section, except for any calendar quarter in which the  
50 contributions received by the committee or the expenditures or contributions made by the



51 committee do not exceed five hundred dollars. The reporting dates and periods covered for such  
52 quarterly reports shall not be later than the fifteenth day of January, April, July and October for  
53 periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day  
54 of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be  
55 required to file the quarterly disclosure report required not later than the fifteenth day of any  
56 January immediately following a November election, provided that such candidate, treasurer or  
57 deputy treasurer shall file the information required on such quarterly report on the quarterly  
58 report to be filed not later than the fifteenth day of April immediately following such November  
59 election. Each report by such committee shall be cumulative from the date of the last report. In  
60 the case of the continuing committee's first report, the report shall be cumulative from the date  
61 of the continuing committee's organization. Every candidate, treasurer or deputy treasurer shall  
62 file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding  
63 the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this  
64 section. A continuing committee shall submit additional reports if it makes aggregate  
65 expenditures, other than contributions to a committee, of five hundred dollars or more, within  
66 the reporting period at the following times for the following periods:

67 (1) Not later than the eighth day before an election for the period closing on the twelfth  
68 day before the election;

69 (2) Not later than forty-eight hours after aggregate expenditures of five hundred dollars  
70 or more are made after the twelfth day before the election; and

71 (3) Not later than the thirtieth day after an election for a period closing on the  
72 twenty-fifth day after the election.

73 4. The reports required to be filed no later than the thirtieth day after an election and any  
74 subsequently required report shall be cumulative so as to reflect the total receipts and  
75 disbursements of the reporting committee for the entire election campaign in question. The  
76 period covered by each disclosure report shall begin on the day after the closing date of the most  
77 recent disclosure report filed and end on the closing date for the period covered. If the  
78 committee has not previously filed a disclosure report, the period covered begins on the date the  
79 committee was formed; except that in the case of a candidate committee, the period covered  
80 begins on the date the candidate became a candidate according to the definition of the term  
81 candidate in section 130.011.

82 5. Notwithstanding any other provisions of this chapter to the contrary:

83 (1) Certain disclosure reports pertaining to any candidate who receives nomination in  
84 a primary election and thereby seeks election in the immediately succeeding general election  
85 shall not be required in the following cases:

86 (a) If there are less than fifty days between a primary election and the immediately  
87 succeeding general election, the disclosure report required to be filed quarterly; provided that,  
88 any other report required to be filed prior to the primary election and all other reports required  
89 to be filed not later than the eighth day before the general election are filed no later than the final  
90 dates for filing such reports;

91 (b) If there are less than eighty-five days between a primary election and the immediately  
92 succeeding general election, the disclosure report required to be filed not later than the thirtieth  
93 day after the primary election need not be filed; provided that any report required to be filed prior  
94 to the primary election and any other report required to be filed prior to the general election are  
95 filed no later than the final dates for filing such reports; and

96 (2) No disclosure report needs to be filed for any reporting period if during that reporting  
97 period the committee has neither received contributions aggregating more than five hundred  
98 dollars nor made expenditure aggregating more than five hundred dollars and has not received  
99 contributions aggregating more than three hundred dollars from any single contributor and if the  
100 committee's treasurer files a statement with the appropriate officer that the committee has not  
101 exceeded the identified thresholds in the reporting period. Any contributions received or  
102 expenditures made which are not reported because this statement is filed in lieu of a disclosure  
103 report shall be included in the next disclosure report filed by the committee. This statement shall  
104 not be filed in lieu of the report for two or more consecutive disclosure periods if either the  
105 contributions received or expenditures made in the aggregate during those reporting periods  
106 exceed five hundred dollars. This statement shall not be filed, in lieu of the report, later than the  
107 thirtieth day after an election if that report would show a deficit of more than one thousand  
108 dollars.

109 6. (1) If the disclosure report required to be filed by a committee not later than the  
110 thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations  
111 in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with  
112 the appropriate officer for each succeeding semiannual period until the deficit is reported in a  
113 disclosure report as being reduced to five thousand dollars or less; except that, a supplemental  
114 semiannual report shall not be required for any semiannual period which includes the closing  
115 date for the reporting period covered in any regular disclosure report which the committee is  
116 required to file in connection with an election. The reporting dates and periods covered for  
117 semiannual reports shall be not later than the fifteenth day of January and July for periods closing  
118 on the thirty-first day of December and the thirtieth day of June;

119 (2) Committees required to file reports pursuant to subsection 2 or 3 of this section  
120 which are not otherwise required to file disclosure reports for an election shall file semiannual

121 reports as required by this subsection if their last required disclosure report shows a total of  
122 unpaid loans and other outstanding obligations in excess of five thousand dollars.

123           7. In the case of a committee which disbands and is required to file a termination  
124 statement pursuant to the provisions of section 130.021 with the appropriate officer not later than  
125 the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy  
126 treasurer shall attach to the termination statement a complete disclosure report for the period  
127 closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8  
128 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the  
129 reporting requirements of subsection 6 or 7 of this section.

130           8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m.  
131 prevailing local time of the day designated for the filing of the report and a report postmarked  
132 not later than midnight of the day previous to the day designated for filing the report shall be  
133 deemed to have been filed in a timely manner. The appropriate officer may establish a policy  
134 whereby disclosure reports may be filed by facsimile transmission.

          576.010. 1. A person commits the crime of bribery of a public servant if he **or she**  
2 knowingly offers, confers or agrees to confer upon any public servant **or candidate for public**  
3 **office, or a corresponding political campaign committee, or any political party committee**  
4 **or legislative caucus of which he or she is a member, or any members of a legislative caucus**  
5 **of which he or she is a member**, any benefit, direct or indirect, in return for:

6           (1) The recipient's official vote, **support**, opinion, **appointment to public office**,  
7 **including any committee appointment**, recommendation, judgment, decision, action or  
8 exercise of discretion as a public servant; or

9           (2) The recipient's violation of a known legal duty as a public servant.

10           2. It is no defense that the recipient was not qualified to act in the desired way because  
11 he **or she** had not yet assumed office, or lacked jurisdiction, or for any other reason.

12           3. Bribery of a public servant is a class D felony.

✓