

FIRST REGULAR SESSION

# HOUSE BILL NO. 681

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BRINGER.

Read 1st time January 31, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0987L.011

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### AN ACT

To repeal section 130.032, RSMo, and to enact in lieu thereof one new section relating to monetary contributions to campaigns.

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*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Section A. Section 130.032, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 130.032, to read as follows: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. Monetary contributions shall not be made from any political party committee as defined in subdivision (25) of section 130.011 to any candidate committee, continuing committee, or political party committee. Nothing in this section shall be construed to limit any candidate committee from making contributions to any other committee.

2. [Any] **No** candidate for the office of state representative, the office of state senator, or a statewide elected office shall [not] accept any contributions from the first Wednesday after the first Monday in January through the first Friday after the second Monday of May of each year at 6:00 p.m. Only candidates for special election to the house of representatives, senate, or statewide elected office may, during such time, accept contributions from the date of the candidate's nomination by his or her respective political party until thirty days after the date of the election.

**2. In addition to the limitations imposed in 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:**

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

15           (1) To elect an individual to the office of governor, lieutenant governor, secretary  
16 of state, state treasurer, state auditor or attorney general, one thousand two hundred  
17 seventy-five dollars;

18           (2) To elect an individual to the office of state senator, six hundred fifty dollars;

19           (3) To elect an individual to the office of state representative, three hundred twenty-  
20 five dollars;

21           (4) To elect an individual to any other office, including judicial office, if the  
22 population of the electoral district, ward, or other unit according to the latest decennial  
23 census is under one hundred thousand, three hundred twenty-five dollars;

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

28           (6) To elect an individual to any other office, including judicial office, if the  
29 population of the electoral district, ward, or other unit according to the latest decennial  
30 census is at least two hundred fifty thousand, one thousand two hundred seventy-five  
31 dollars.

32           3. For purposes of this subsection "base year amount" shall be the contribution  
33 limits prescribed in this section on January 1, 2007. Such limits shall be increased on the  
34 first day of January in each even-numbered year by multiplying the base year amount by  
35 the cumulative consumer price index, as defined in section 104.010, RSMo, and rounded  
36 to the nearest twenty-five-dollar amount, for all years beginning on or after January 1,  
37 2007.

38           4. Candidate committees, exploratory committees, campaign committees, and  
39 continuing committees, other than those continuing committees which are political party  
40 committees, shall be subject to the limits prescribed in subsection 1 of this section. The  
41 provisions of this subsection shall not limit the amount of contributions which may be  
42 accumulated by a candidate committee and used for expenditures to further the  
43 nomination or election of the candidate who controls such candidate committee.

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

47           (1) To elect an individual to the office of governor, lieutenant governor, secretary  
48 of state, state treasurer, state auditor or attorney general, twelve thousand seven hundred  
49 fifty dollars;

50           (2) To elect an individual to the office of state senator, six thousand four hundred  
51 dollars;

52           (3) To elect an individual to the office of state representative, three thousand two  
53 hundred dollars; and

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

56           6. Contributions from persons under fourteen years of age shall be considered  
57 made by the parents or guardians of such person and shall be attributed toward any  
58 contribution limits prescribed in this chapter. Where the contributor under fourteen years  
59 of age has two custodial parents or guardians, fifty percent of the contribution shall be  
60 attributed to each parent or guardian, and where such contributor has one custodial  
61 parent or guardian, all such contributions shall be attributed to the custodial parent or  
62 guardian.

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

74           8. Any candidate or committee that has accepted contributions in excess of the  
75 limitations imposed in this section between January 1, 2007, and August 28, 2007, shall  
76 return the amount of such contributions that exceed the limitations in this section no later  
77 than thirty days after August 28, 2007. Failure to return such amounts shall result in such  
78 candidate or committee being held liable for all penalties imposed in this chapter for  
79 accepting contributions in excess of the limitations in this section.

80           9. This section shall apply to all contributions accepted by any candidate or  
81 committee in all years beginning on or after January 1, 2007.

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