

FIRST REGULAR SESSION

# HOUSE BILL NO. 1180

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (150).

2410L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapters 8, 21, and 105, RSMo, by adding thereto three new sections relating to ethics.

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

Section A. Chapters 8, 21, and 105, RSMo, are amended by adding thereto three new sections, to be known as sections 8.925, 21.085, and 105.497, to read as follows:

**8.925. No fund-raising activities or fund-raising event, as defined in section 130.011, RSMo, supporting or opposing any candidate, ballot measure, political party, or political party committee shall occur on any property or in any building owned or leased by the state.**

**21.085. Any member of the general assembly who is found guilty of or pleads guilty to any felony shall immediately forfeit and vacate the office, and no such member shall thereafter qualify as a candidate for elective public office in this state or any of its political subdivisions. Any such member shall also forfeit all retirement benefits provided by the state.**

**105.497. 1. Any person nominated by the governor to fill any public office or position on any board, commission, committee, council, state agency, or other organization with positions that are filled by gubernatorial appointment, whether or not the position is subject to confirmation by the senate, shall file a report with the ethics commission disclosing the person's expenditures, as such term is defined in chapter 130, RSMo, during the twenty-four month period immediately preceding the date of the person's nomination. The report shall be submitted no later than two weeks after the person's nomination. No**

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.

8 person nominated who fails to file a report under this section shall take office until such  
9 report is filed.

10 2. The ethics commission shall provide a copy of each report filed under this section  
11 to the governor. The commission shall also provide a copy of each report filed under this  
12 section to the president pro tempore of the senate when the nomination is subject to senate  
13 confirmation, or to any other person or entity responsible for confirmation of the  
14 appointment.

15 3. Any report filed under this section shall be a public record as defined in chapter  
16 610, RSMo, and shall be subject to all provisions relating to public records in chapter 610,  
17 RSMo.

18 4. The ethics commission may promulgate rules to implement the provisions of this  
19 section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,  
20 that is created under the authority delegated in this section shall become effective only if  
21 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if  
22 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
23 and if any of the powers vested with the general assembly under chapter 536, RSMo, to  
24 review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
25 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
26 after August 28, 2009, shall be invalid and void.

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