

# HOUSE BILL NO. 1727

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ZIMMERMAN (Sponsor), LeVOTA, QUINN, WALSH, BRINGER, WEBBER, FALLERT, STORCH, AULL, DOUGHERTY, TODD, KANDER, WALTON GRAY, PACE, MORRIS, SCHOEMEHL, HODGES, YAEGER, SCAVUZZO, McDONALD, SKAGGS, BURNETT, ENGLUND, FRAME, KIRKTON, SCHUPP, NEWMAN, GRILL, FISCHER (107), LOW, McNEIL, COLONA, OXFORD, HARRIS, STILL, BIERMANN, SCHIEFFER, LAMPE, WEBB, McCLANAHAN, RUCKER, TALBOY, CORCORAN, VOGT, CURLS, HOLSMAN, SHIVELY, BROWN (50), CASEY, SALVA, HUMMEL, NORR, ATKINS, LeBLANC, CARTER, MEINERS, KELLY, KUESSNER, SWINGER, MEADOWS, CHAPPELLE-NADAL, HUGHES, KRAUS AND MOLENDORP (Co-sponsors).

4291L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 105.452, 130.021, and 130.031, RSMo, and to enact in lieu thereof five new sections relating to ethics, with penalty provisions.

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

Section A. Sections 105.452, 130.021, and 130.031, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 21.033, 105.452, 130.021, 130.031, and 130.032, to read as follows:

**21.033. Any individual currently holding office as a state representative or state senator shall not contract with or solicit any other current senator or representative for the purposes of securing services for political fund raising, campaigning, or consulting that in any way relates to the election of any state or federal office.**

105.452. 1. No elected or appointed official or employee of the state or any political subdivision thereof shall:

(1) Act or refrain from acting in any capacity in which he is lawfully empowered to act as such an official or employee by reason of any payment, offer to pay, promise to pay, or receipt of anything of actual pecuniary value paid or payable, or received or receivable, to himself or any third person, including any gift or campaign contribution, made or received in relationship to or

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.

7 as a condition of the performance of an official act, other than compensation to be paid by the  
8 state or political subdivision; or

9 (2) Use confidential information obtained in the course of or by reason of his  
10 employment or official capacity in any manner with intent to result in financial gain for himself,  
11 his spouse, his dependent child in his custody, or any business with which he is associated;

12 (3) Disclose confidential information obtained in the course of or by reason of his  
13 employment or official capacity in any manner with intent to result in financial gain for himself  
14 or any other person;

15 (4) Favorably act on any matter that is so specifically designed so as to provide a special  
16 monetary benefit to such official or his spouse or dependent children, including but not limited  
17 to increases in retirement benefits, whether received from the state of Missouri or any third party  
18 by reason of such act. For the purposes of this subdivision, "special monetary benefit" means  
19 being materially affected in a substantially different manner or degree than the manner or degree  
20 in which the public in general will be affected or, if the matter affects only a special class of  
21 persons, then affected in a substantially different manner or degree than the manner or degree  
22 in which such class will be affected. In all such matters such officials [must] **shall** recuse  
23 themselves from acting, except that such official may act on increases in compensation subject  
24 to the restrictions of section 13 of article VII of the Missouri Constitution; [or]

25 (5) Use his decision-making authority for the purpose of obtaining a financial gain which  
26 materially enriches himself, his spouse or dependent children by acting or refraining from acting  
27 for the purpose of coercing or extorting from another anything of actual pecuniary value;

28 **(6) Register or act as a lobbyist, other than as a lobbyist solely for a governmental**  
29 **entity within this state, within the one-year period after leaving office or leaving**  
30 **employment of the state or political subdivision. This subdivision shall apply only to an**  
31 **elected official or such official's staff.**

32 2. No elected or appointed official or employee of any political subdivision shall offer,  
33 promote, or advocate for a political appointment in exchange for anything of value to any  
34 political subdivision.

130.021. 1. Every committee shall have a treasurer who, except as provided in  
2 subsection 10 of this section, shall be a resident of this state and reside in the district or county  
3 in which the committee sits. A committee may also have a deputy treasurer who, except as  
4 provided in subsection 10 of this section, shall be a resident of this state and reside in the district  
5 or county in which the committee sits, to serve in the capacity of committee treasurer in the event  
6 the committee treasurer is unable for any reason to perform the treasurer's duties. **No person**  
7 **shall hold the designation of, serve as, control the activities of, or carry out the duties of**  
8 **treasurer or deputy treasurer for more than one committee concurrently. Any person who**

9 **violates this provision shall, upon a determination by the Missouri ethics commission that**  
10 **the person is a treasurer or deputy treasurer of more than one committee, vacate the**  
11 **position of treasurer or deputy treasurer of all committees. The Missouri ethics**  
12 **commission shall be empowered to obtain injunctive relief in the circuit court of Cole**  
13 **County to enforce an order of vacation, or to prohibit persons not holding the designation**  
14 **of treasurer but having actual control of the activities of more than one committee from**  
15 **exercising such control.**

16         2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed  
17 a statement of exemption pursuant to that subsection and every candidate for offices listed in  
18 subsection 6 of section 130.016 who is not excluded from filing a statement of organization and  
19 disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee  
20 and appoint a treasurer. Thereafter, all contributions on hand and all further contributions  
21 received by such candidate and any of the candidate's own funds to be used in support of the  
22 person's candidacy shall be deposited in a candidate committee depository account established  
23 pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made  
24 through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing  
25 in this chapter shall prevent a candidate from appointing himself or herself as a committee of one  
26 and serving as the person's own treasurer, maintaining the candidate's own records and filing all  
27 the reports and statements required to be filed by the treasurer of a candidate committee.

28         3. A candidate who has more than one candidate committee supporting the person's  
29 candidacy shall designate one of those candidate committees as the committee responsible for  
30 consolidating the aggregate contributions to all such committees under the candidate's control  
31 and direction as required by section 130.041.

32         4. (1) Every committee shall have a single official fund depository within this state  
33 which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan  
34 association, or a federally or state-chartered credit union in which the committee shall open and  
35 thereafter maintain at least one official depository account in its own name. An "official  
36 depository account" shall be a checking account or some type of negotiable draft or negotiable  
37 order of withdrawal account, and the official fund depository shall, regarding an official  
38 depository account, be a type of financial institution which provides a record of deposits,  
39 canceled checks or other canceled instruments of withdrawal evidencing each transaction by  
40 maintaining copies within this state of such instruments and other transactions. All contributions  
41 which the committee receives in money, checks and other negotiable instruments shall be  
42 deposited in a committee's official depository account. Contributions shall not be accepted and  
43 expenditures shall not be made by a committee except by or through an official depository  
44 account and the committee treasurer, deputy treasurer or candidate. Contributions received by

45 a committee shall not be commingled with any funds of an agent of the committee, a candidate  
46 or any other person, except that contributions from a candidate of the candidate's own funds to  
47 the person's candidate committee shall be deposited to an official depository account of the  
48 person's candidate committee. No expenditure shall be made by a committee when the office  
49 of committee treasurer is vacant except that when the office of a candidate committee treasurer  
50 is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

51 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a  
52 committee's official depository account and deposit such funds in one or more savings accounts  
53 in the committee's name in any bank, savings and loan association or credit union within this  
54 state, and may also withdraw funds from an official depository account for investment in the  
55 committee's name in any certificate of deposit, bond or security. Proceeds from interest or  
56 dividends from a savings account or other investment or proceeds from withdrawals from a  
57 savings account or from the sale of an investment shall not be expended or reinvested, except  
58 in the case of renewals of certificates of deposit, without first redepositing such proceeds in an  
59 official depository account. Investments, other than savings accounts, held outside the  
60 committee's official depository account at any time during a reporting period shall be disclosed  
61 by description, amount, any identifying numbers and the name and address of any institution or  
62 person in which or through which it is held in an attachment to disclosure reports the committee  
63 is required to file. Proceeds from an investment such as interest or dividends or proceeds from  
64 its sale, shall be reported by date and amount. In the case of the sale of an investment, the  
65 names and addresses of the persons involved in the transaction shall also be stated. Funds held  
66 in savings accounts and investments, including interest earned, shall be included in the report of  
67 money on hand as required by section 130.041.

68 5. The treasurer or deputy treasurer acting on behalf of any person or organization or  
69 group of persons which is a committee by virtue of the definitions of committee in section  
70 130.011 and any candidate who is not excluded from forming a committee in accordance with  
71 the provisions of section 130.016 shall file a statement of organization with the appropriate  
72 officer within twenty days after the person or organization becomes a committee but no later than  
73 the date for filing the first report required pursuant to the provisions of section 130.046. The  
74 statement of organization shall contain the following information:

75 (1) The name, mailing address and telephone number, if any, of the committee filing the  
76 statement of organization. If the committee is deemed to be affiliated with a connected  
77 organization as provided in subdivision (11) of section 130.011, the name of the connected  
78 organization, or a legally registered fictitious name which reasonably identifies the connected  
79 organization, shall appear in the name of the committee. If the committee is a candidate  
80 committee, the name of the candidate shall be a part of the committee's name;

81 (2) The name, mailing address and telephone number of the candidate;

82 (3) The name, mailing address and telephone number of the committee treasurer, and the  
83 name, mailing address and telephone number of its deputy treasurer if the committee has named  
84 a deputy treasurer;

85 (4) The names, mailing addresses and titles of its officers, if any;

86 (5) The name and mailing address of any connected organizations with which the  
87 committee is affiliated;

88 (6) The name and mailing address of its depository, and the name and account number  
89 of each account the committee has in the depository. The account number of each account shall  
90 be redacted prior to disclosing the statement to the public;

91 (7) Identification of the major nature of the committee such as a candidate committee,  
92 campaign committee, continuing committee, political party committee, incumbent committee,  
93 or any other committee according to the definition of committee in section 130.011;

94 (8) In the case of the candidate committee designated in subsection 3 of this section, the  
95 full name and address of each other candidate committee which is under the control and direction  
96 of the same candidate, together with the name, address and telephone number of the treasurer of  
97 each such other committee;

98 (9) The name and office sought of each candidate supported or opposed by the  
99 committee;

100 (10) The ballot measure concerned, if any, and whether the committee is in favor of or  
101 opposed to such measure.

102 6. A committee may omit the information required in subdivisions (9) and (10) of  
103 subsection 5 of this section if, on the date on which it is required to file a statement of  
104 organization, the committee has not yet determined the particular candidates or particular ballot  
105 measures it will support or oppose.

106 7. A committee which has filed a statement of organization and has not terminated shall  
107 not be required to file another statement of organization, except that when there is a change in  
108 any of the information previously reported as required by subdivisions (1) to (8) of subsection  
109 5 of this section an amended statement of organization shall be filed within twenty days after the  
110 change occurs, but no later than the date of the filing of the next report required to be filed by  
111 that committee by section 130.046.

112 8. Upon termination of a committee, a termination statement indicating dissolution shall  
113 be filed not later than ten days after the date of dissolution with the appropriate officer or officers  
114 with whom the committee's statement of organization was filed. The termination statement shall  
115 include: the distribution made of any remaining surplus funds and the disposition of any deficits;

116 and the name, mailing address and telephone number of the individual responsible for preserving  
117 the committee's records and accounts as required in section 130.036.

118 9. Any statement required by this section shall be signed and attested by the committee  
119 treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

120 10. A committee domiciled outside this state shall be required to file a statement of  
121 organization and appoint a treasurer residing in this state and open an account in a depository  
122 within this state; provided that either of the following conditions prevails:

123 (1) The aggregate of all contributions received from persons domiciled in this state  
124 exceeds twenty percent in total dollar amount of all funds received by the committee in the  
125 preceding twelve months; or

126 (2) The aggregate of all contributions and expenditures made to support or oppose  
127 candidates and ballot measures in this state exceeds one thousand five hundred dollars in the  
128 current calendar year.

129 11. If a committee domiciled in this state receives a contribution of one thousand five  
130 hundred dollars or more from any committee domiciled outside of this state, the committee  
131 domiciled in this state shall file a disclosure report with the commission. The report shall  
132 disclose the full name, mailing address, telephone numbers and domicile of the contributing  
133 committee and the date and amount of the contribution. The report shall be filed within  
134 forty-eight hours of the receipt of such contribution if the contribution is received after the last  
135 reporting date before the election.

136 12. Each legislative and senatorial district committee shall retain only one address in the  
137 district it sits for the purpose of receiving contributions.

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall  
2 be made by or accepted from any single contributor for any election by a continuing committee,  
3 a campaign committee, a political party committee, an exploratory committee or a candidate  
4 committee.

5 2. Except for expenditures from a petty cash fund which is established and maintained  
6 by withdrawals of funds from the committee's depository account and with records maintained  
7 pursuant to the record-keeping requirements of section 130.036 to account for expenditures made  
8 from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall  
9 be made by check drawn on the committee's depository and signed by the committee treasurer,  
10 deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty  
11 dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall  
12 not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the  
13 committee during that calendar year. A check made payable to "cash" shall not be made except  
14 to replenish a petty cash fund.

15           3. No contribution shall be made or accepted and no expenditure shall be made or  
16 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or  
17 through another person in such a manner as to conceal the identity of the actual source of the  
18 contribution or the actual recipient and purpose of the expenditure. Any person who receives  
19 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or  
20 candidate the recipient's own name and address and the name and address of the actual source  
21 of each contribution such person has received for that committee. Any person who makes  
22 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or  
23 candidate such person's own name and address, the name and address of each person to whom  
24 an expenditure has been made and the amount and purpose of the expenditures the person has  
25 made for that committee.

26           4. No anonymous contribution of more than twenty-five dollars shall be made by any  
27 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any  
28 candidate or committee. If any anonymous contribution of more than twenty-five dollars is  
29 received, it shall be returned immediately to the contributor, if the contributor's identity can be  
30 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee  
31 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which  
32 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

33           5. The maximum aggregate amount of anonymous contributions which shall be accepted  
34 in any calendar year by any committee shall be the greater of five hundred dollars or one percent  
35 of the aggregate amount of all contributions received by that committee in the same calendar  
36 year. If any anonymous contribution is received which causes the aggregate total of anonymous  
37 contributions to exceed the foregoing limitation, it shall be returned immediately to the  
38 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity  
39 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately  
40 transmit the anonymous contribution to the state treasurer to escheat to the state.

41           6. Notwithstanding the provisions of subsection 5 of this section, contributions from  
42 individuals whose names and addresses cannot be ascertained which are received from a  
43 fund-raising activity or event, such as defined in section 130.011, shall not be deemed  
44 anonymous contributions, provided the following conditions are met:

45           (1) There are twenty-five or more contributing participants in the activity or event;

46           (2) The candidate, committee treasurer, deputy treasurer or the person responsible for  
47 conducting the activity or event makes an announcement that it is illegal for anyone to make or  
48 receive a contribution in excess of one hundred dollars unless the contribution is accompanied  
49 by the name and address of the contributor;

50 (3) The person responsible for conducting the activity or event does not knowingly  
51 accept payment from any single person of more than one hundred dollars unless the name and  
52 address of the person making such payment is obtained and recorded pursuant to the  
53 record-keeping requirements of section 130.036;

54 (4) A statement describing the event shall be prepared by the candidate or the treasurer  
55 of the committee for whom the funds were raised or by the person responsible for conducting the  
56 activity or event and attached to the disclosure report of contributions and expenditures required  
57 by section 130.041. The following information to be listed in the statement is in addition to, not  
58 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of  
59 contributions and expenditures:

60 (a) The name and mailing address of the person or persons responsible for conducting  
61 the event or activity and the name and address of the candidate or committee for whom the funds  
62 were raised;

63 (b) The date on which the event occurred;

64 (c) The name and address of the location where the event occurred and the approximate  
65 number of participants in the event;

66 (d) A brief description of the type of event and the fund-raising methods used;

67 (e) The gross receipts from the event and a listing of the expenditures incident to the  
68 event;

69 (f) The total dollar amount of contributions received from the event from participants  
70 whose names and addresses were not obtained with such contributions and an explanation of  
71 why it was not possible to obtain the names and addresses of such participants;

72 (g) The total dollar amount of contributions received from contributing participants in  
73 the event who are identified by name and address in the records required to be maintained  
74 pursuant to section 130.036.

75 7. No candidate or committee in this state shall accept contributions from any  
76 out-of-state committee unless the out-of-state committee from whom the contributions are  
77 received has filed a statement of organization pursuant to section 130.021 or has filed the reports  
78 required by sections 130.049 and 130.050, whichever is applicable to that committee.

79 8. Any person publishing, circulating, or distributing any printed matter relative to any  
80 candidate for public office or any ballot measure shall on the face of the printed matter identify  
81 in a clear and conspicuous manner the person who paid for the printed matter with the words  
82 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For  
83 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,  
84 handbill, sample ballot, advertisement, including advertisements in any newspaper or other  
85 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered



86 material; but "printed matter" is defined to exclude materials printed and purchased prior to May  
87 20, 1982, if the candidate or committee can document that delivery took place prior to May 20,  
88 1982; any sign personally printed and constructed by an individual without compensation from  
89 any other person and displayed at that individual's place of residence or on that individual's  
90 personal motor vehicle; any items of personal use given away or sold, such as campaign buttons,  
91 pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a  
92 candidate or committee which supports a candidate or supports or opposes a ballot measure and  
93 which is obvious in its identification with a specific candidate or committee and is reported as  
94 required by this chapter; and any news story, commentary, or editorial printed by a regularly  
95 published newspaper or other periodical without charge to a candidate, committee or any other  
96 person.

97 (1) In regard to any printed matter paid for by a candidate from the candidate's personal  
98 funds, it shall be sufficient identification to print the first and last name by which the candidate  
99 is known.

100 (2) In regard to any printed matter paid for by a committee, it shall be sufficient  
101 identification to print the name of the committee as required to be registered by subsection 5 of  
102 section 130.021 and the name and title of the committee treasurer who was serving when the  
103 printed matter was paid for.

104 (3) In regard to any printed matter paid for by a corporation or other business entity,  
105 labor organization, or any other organization not defined to be a committee by subdivision (7)  
106 of section 130.011 and not organized especially for influencing one or more elections, it shall  
107 be sufficient identification to print the name of the entity, the name of the principal officer of the  
108 entity, by whatever title known, and the mailing address of the entity, or if the entity has no  
109 mailing address, the mailing address of the principal officer.

110 (4) In regard to any printed matter paid for by an individual or individuals, it shall be  
111 sufficient identification to print the name of the individual or individuals and the respective  
112 mailing address or addresses, except that if more than five individuals join in paying for printed  
113 matter it shall be sufficient identification to print the words "For a list of other sponsors contact:"  
114 followed by the name and address of one such individual responsible for causing the matter to  
115 be printed, and the individual identified shall maintain a record of the names and amounts paid  
116 by other individuals and shall make such record available for review upon the request of any  
117 person. No person shall accept for publication or printing nor shall such work be completed until  
118 the printed matter is properly identified as required by this subsection.

119 9. Any broadcast station transmitting any matter relative to any candidate for public  
120 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as  
121 required by federal law.

122           10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for  
123 elective federal office, provided that persons causing matter to be printed or broadcast  
124 concerning such candidacies shall comply with the requirements of federal law for identification  
125 of the sponsor or sponsors.

126           11. It shall be a violation of this chapter for any person required to be identified as  
127 paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter  
128 pursuant to subsection 9 of this section to refuse to provide the information required or to  
129 purposely provide false, misleading, or incomplete information.

130           12. It shall be a violation of this chapter for any committee to offer chances to win prizes  
131 or money to persons to encourage such persons to endorse, send election material by mail,  
132 deliver election material in person or contact persons at their homes; except that, the provisions  
133 of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

134           **13. (1) Except as provided in subdivision (2) of this subsection, no committee shall**  
135 **transfer any funds received by the committee to any other committee. Any violation of this**  
136 **subdivision shall be punishable as follows:**

137           **(a) Any committee that transfers any funds received by the committee to any other**  
138 **committee shall be subject to a surcharge of one thousand dollars plus an amount equal**  
139 **to the transfer per nonallowable transfer. Such amount shall be paid to the ethics**  
140 **commission, and shall be transferred to the director of revenue upon notification of such**  
141 **nonallowable transfer by the ethics commission, and after the receiving committee has had**  
142 **ten business days after receipt of notice to return the transfer to the committee that**  
143 **transferred the funds. The committee treasurer or deputy treasurer of a committee owing**  
144 **a surcharge shall be personally liable for the payment of the surcharge or may pay such**  
145 **surcharge only from committee funds existing on the date of the receipt of notice. Such**  
146 **surcharge shall constitute a debt to the state enforceable under, but not limited to, the**  
147 **provisions of chapter 143;**

148           **(b) Any knowing and intentional transfer of funds in violation of this subsection**  
149 **shall be a class A misdemeanor;**

150           **(c) Any willful transfer of funds in violation of this subsection, transferred with the**  
151 **intent to conceal the actual source or nature of such funds, shall be a class D felony.**

152           **(2) The prohibition in this subsection shall not apply to any transfer of funds from**  
153 **a continuing committee to a candidate committee, unless the funds were transferred to the**  
154 **candidate committee with the intent to conceal the identity of the actual source of the**  
155 **funds. The prohibition in this section shall be construed to apply to transfers of funds**  
156 **involving legislative, senatorial, congressional, and judicial district committees as governed**  
157 **under chapter 115.**

158           (3) Any person who transfers or attempts to transfer funds from a committee to any  
159 other committee with the intent to conceal the identity of the actual source of the funds  
160 shall be guilty of a class D felony.

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

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

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

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

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

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

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

18           2. For purposes of this subsection, "base year amount" shall be the contribution  
19 limits prescribed in this section on January 1, 2011. Such limits shall be increased on the  
20 first day of January in each even-numbered year by multiplying the base year amount by  
21 the cumulative consumer price index, as defined in section 104.010 and rounded to the  
22 nearest twenty-five-dollar amount, for all years since January 1, 2011.

23           3. Every committee established under this chapter shall be subject to the limits  
24 prescribed in subsection 1 of this section. The provisions of this subsection shall not limit  
25 the amount of contributions that may be accumulated by a candidate committee and used  
26 for expenditures to further the nomination or election of the candidate who controls such  
27 candidate committee.

28           4. Contributions from persons under fourteen years of age shall be considered  
29 made by the parents or guardians of such person and shall be attributed toward any  
30 contribution limits prescribed in this chapter. Where the contributor under fourteen years  
31 of age has two custodial parents or guardians, fifty percent of the contribution shall be  
32 attributed to each parent or guardian, and where such contributor has one custodial

33 parent or guardian, all such contributions shall be attributed to the custodial parent or  
34 guardian.

35       **5. Contributions received and expenditures made before January 1, 2011, shall be**  
36 **reported as a separate account and under the laws in effect at the time such contributions**  
37 **are received or expenditures made. Contributions received and expenditures made after**  
38 **January 1, 2011, shall be reported under the provisions of this chapter as a separate**  
39 **account from the other separate account described in this subsection. The account**  
40 **reported under the prior law shall be retained as a separate account and any remaining**  
41 **funds in such account may be used under this chapter.**

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

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