

HJR 91 -- Campaign Contribution Limits

Sponsor: Bringer

Upon voter approval, this proposed constitutional amendment changes the laws regarding campaign contributions to candidates and committees. In its main provisions, the resolution:

(1) Limits campaign contributions from any person other than the candidate in any one election to candidates for statewide office at \$1,275; for state senator at \$650; and for state representative at \$325. Limits for local candidate contributions are based on population and are specified in the resolution. Candidate committees will be exempt from these limits;

(2) Limits contributions made or accepted by political party committees in any one election to \$10,000 for a statewide candidate; \$5,000 for a state senator candidate; \$2,500 for a state representative candidate; and 10 times the allowable individual contribution for candidates for other local offices. The amount of contributions that may be made by or accepted from a political party committee in the primary election when a candidate is unopposed will be 50% of the amounts;

(3) Requires contributions from children younger than 14 years of age to be counted equally toward their parents' contribution limits or, in the case of a single parent, counted fully against that parent's contribution;

(4) Establishes a surcharge penalty payable to the Missouri Ethics Commission of \$1,000 plus the amount of the nonallowable contribution for a violation of the campaign contribution limits by any committee and requires the candidate to return the nonallowable contributions to the contributor within 10 business days;

(5) Requires funds received and expended before January 1, 2011, to be reported as a separate account and allows the use of those funds based on the current laws; and

(6) Prohibits a committee from transferring any funds received by the committee to any other committee as specified in Chapter 130, RSMo. Any person who violates this provision will be notified by the commission within five days of determining that the transfer is prohibited and the person must notify the committee to which the funds were transferred that they must be returned within 10 days. For a second violation, the person transferring the funds will be guilty of a class C misdemeanor and a class D felony for any subsequent violation. The prohibition will not apply to any transfer of funds from a

committee to a candidate committee unless the intent is to conceal the identity of the actual source of the funds. Any person who transfers or attempts to transfer funds from a committee to any other committee with the intent to conceal the identity of the source of funds will be guilty of a class D felony.