

SECOND REGULAR SESSION

HOUSE BILL NO. 1440

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DUNN.

5170L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 105.470 and 130.036, RSMo, sections 105.473, 105.485, 105.955, 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.044, 130.046, 130.057, and 226.033 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, sections 105.473, 130.011, and 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as enacted by senate substitute for senate committee substitute for house bill no. 2058, ninety-fourth general assembly, second regular session, sections 105.955, 130.031, and 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.026 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.057 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 676 merged with conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and section 226.033 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 668, ninety-fourth general

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.

assembly, first regular session, and to enact in lieu thereof fifteen new sections relating to lobbying and campaign finance disclosure law, with penalty provisions.

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

Section A. Sections 105.470 and 130.036, RSMo, sections 105.473, 105.485, 105.955, 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.044, 130.046, 130.057, and 226.033 as enacted by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, sections 105.473, 130.011, and 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as enacted by senate substitute for senate committee substitute for house bill no. 2058, ninety-fourth general assembly, second regular session, sections 105.955, 130.031, and 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.026 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.057 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 676 merged with conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and section 226.033 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 668, ninety-fourth general assembly, first regular session, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 105.470, 105.473, 105.485, 105.955, 130.011, 130.021, 130.026, 130.028, 130.031, 130.036, 130.041, 130.044, 130.046, 130.057, and 226.033, to read as follows:

105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) "Elected local government official lobbyist", any natural person employed specifically for the purpose of attempting to influence any action by a local government official

5 elected in a county, city, town, or village with an annual operating budget of over ten million
6 dollars;

7 (2) "Executive lobbyist", any natural person who acts for the purpose of attempting to
8 influence any action by the executive branch of government or by any elected or appointed
9 official, employee, department, division, agency or board or commission thereof and in
10 connection with such activity, meets the requirements of any one or more of the following:

11 (a) Is acting in the ordinary course of employment on behalf of or for the benefit of such
12 person's employer; or

13 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
14 such activity; or

15 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
16 religious organization, nonprofit corporation, association or other entity; or

17 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
18 beginning January first and ending December thirty-first for the benefit of one or more public
19 officials or one or more employees of the executive branch of state government in connection
20 with such activity.

21

22 An "executive lobbyist" shall not include a member of the general assembly, an elected state
23 official, or any other person solely due to such person's participation in any of the following
24 activities:

25 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
26 proceeding, or contested case before a state board, commission, department, division or agency
27 of the executive branch of government or any elected or appointed officer or employee thereof;

28 b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any
29 public document, permit or contract, any application for any permit or license or certificate, or
30 any document required or requested to be filed with the state or a political subdivision;

31 c. Selling of goods or services to be paid for by public funds, provided that such person
32 is attempting to influence only the person authorized to authorize or enter into a contract to
33 purchase the goods or services being offered for sale;

34 d. Participating in public hearings or public proceedings on rules, grants, or other
35 matters;

36 e. Responding to any request for information made by any public official or employee
37 of the executive branch of government;

38 f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
39 television broadcast, or similar news medium, whether print or electronic;

40 g. Acting within the scope of employment by the general assembly, or acting within the
41 scope of employment by the executive branch of government when acting with respect to the
42 department, division, board, commission, agency or elected state officer by which such person
43 is employed, or with respect to any duty or authority imposed by law to perform any action in
44 conjunction with any other public official or state employee; or

45 h. Testifying as a witness before a state board, commission or agency of the executive
46 branch;

47 (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any
48 gift, honorarium or item of value bestowed including any food or beverage; any price, charge or
49 fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is
50 cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible
51 cost or fair market value from one person to another or provision of any service or granting of
52 any opportunity for which a charge is customarily made, without charge or for a reduced charge;
53 except that the term "expenditure" shall not include the following:

54 (a) Any item, service or thing of value transferred to any person within the third degree
55 of consanguinity of the transferor which is unrelated to any activity of the transferor as a
56 lobbyist;

57 (b) Informational material such as books, reports, pamphlets, calendars or periodicals
58 informing a public official regarding such person's official duties, or souvenirs or mementos
59 valued at less than ten dollars;

60 (c) Contributions to the public official's campaign committee or candidate committee
61 which are reported pursuant to the provisions of chapter 130;

62 (d) Any loan made or other credit accommodations granted or other payments made by
63 any person or entity which extends credit or makes loan accommodations or such payments in
64 the regular ordinary scope and course of business, provided that such are extended, made or
65 granted in the ordinary course of such person's or entity's business to persons who are not public
66 officials;

67 (e) Any item, service or thing of de minimis value offered to the general public, whether
68 or not the recipient is a public official or a staff member, employee, spouse or dependent child
69 of a public official, and only if the grant of the item, service or thing of de minimis value is not
70 motivated in any way by the recipient's status as a public official or staff member, employee,
71 spouse or dependent child of a public official;

72 (f) The transfer of any item, provision of any service or granting of any opportunity with
73 a reasonably discernible cost or fair market value when such item, service or opportunity is
74 necessary for a public official or employee to perform his or her duty in his or her official
75 capacity, including but not limited to entrance fees to any sporting event, museum, or other

76 venue when the official or employee is participating in a ceremony, public presentation or
77 official meeting therein;

78 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is
79 bestowed upon or given to any public official or a staff member, employee, spouse or dependent
80 child of a public official when it is compensation for employment or given as an employment
81 benefit and when such employment is in addition to their employment as a public official;

82 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
83 influence any purchasing decision by the judicial branch of government or by any elected or
84 appointed official or any employee thereof and in connection with such activity, meets the
85 requirements of any one or more of the following:

86 (a) Is acting in the ordinary course of employment which primary purpose is to influence
87 the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such
88 person's employer, except that this shall not apply to any person who engages in lobbying on an
89 occasional basis only and not as a regular pattern of conduct; or

90 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
91 such activity; or

92 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
93 religious organization, nonprofit corporation or association; or

94 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
95 beginning January first and ending December thirty-first for the benefit of one or more public
96 officials or one or more employees of the judicial branch of state government in connection with
97 attempting to influence such purchasing decisions by the judiciary.

98

99 A "judicial lobbyist" shall not include a member of the general assembly, an elected state official,
100 or any other person solely due to such person's participation in any of the following activities:

101 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
102 proceeding, or contested case before a state court;

103 b. Participating in public hearings or public proceedings on rules, grants, or other
104 matters;

105 c. Responding to any request for information made by any judge or employee of the
106 judicial branch of government;

107 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,
108 magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

109 e. Acting within the scope of employment by the general assembly, or acting within the
110 scope of employment by the executive branch of government when acting with respect to the
111 department, division, board, commission, agency or elected state officer by which such person

112 is employed, or with respect to any duty or authority imposed by law to perform any action in
113 conjunction with any other public official or state employee;

114 (5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to
115 influence the taking, passage, amendment, delay or defeat of any official action on any bill,
116 resolution, amendment, nomination, appointment, report or any other action or any other matter
117 pending or proposed in a legislative committee in either house of the general assembly, or in any
118 matter which may be the subject of action by the general assembly and in connection with such
119 activity, meets the requirements of any one or more of the following:

120 (a) Is acting in the ordinary course of employment[, which primary purpose is] to
121 influence legislation [on a regular basis], on behalf of or for the benefit of such person's
122 employer[, except that this shall not apply to any person who engages in lobbying on an
123 occasional basis only and not as a regular pattern of conduct]; or

124 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
125 such activity; or

126 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
127 religious organization, nonprofit corporation, association or other entity; or

128 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
129 beginning January first and ending December thirty-first for the benefit of one or more public
130 officials or one or more employees of the legislative branch of state government in connection
131 with such activity.

132

133 A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any
134 person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not
135 include any member of the general assembly, an elected state official, or any other person solely
136 due to such person's participation in any of the following activities:

137 a. Responding to any request for information made by any public official or employee
138 of the legislative branch of government;

139 b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
140 television broadcast, or similar news medium, whether print or electronic;

141 c. Acting within the scope of employment of the legislative branch of government when
142 acting with respect to the general assembly or any member thereof;

143 d. Testifying as a witness before the general assembly or any committee thereof;

144 (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist,
145 elected local government official lobbyist, or a legislative lobbyist;

146 (7) "Lobbyist principal", any person, business entity, governmental entity, religious
147 organization, nonprofit corporation or association who employs, contracts for pay or otherwise
148 compensates a lobbyist;

149 (8) "Public official", any member or member-elect of the general assembly, judge or
150 judicial officer, or any other person holding an elective office of state government or any agency
151 head, department director or division director of state government or any member of any state
152 board or commission and any designated decision-making public servant designated by persons
153 described in this subdivision.

2 [105.473. 1. Each lobbyist shall, not later than January fifth of each year
3 or five days after beginning any activities as a lobbyist, file standardized
4 registration forms, verified by a written declaration that it is made under the
5 penalties of perjury, along with a filing fee of ten dollars, with the commission.
6 The forms shall include the lobbyist's name and business address, the name and
7 address of all persons such lobbyist employs for lobbying purposes, the name and
8 address of each lobbyist principal by whom such lobbyist is employed or in
9 whose interest such lobbyist appears or works. The commission shall maintain
10 files on all lobbyists' filings, which shall be open to the public. Each lobbyist
11 shall file an updating statement under oath within one week of any addition,
12 deletion, or change in the lobbyist's employment or representation. The filing fee
13 shall be deposited to the general revenue fund of the state. The lobbyist principal
14 or a lobbyist employing another person for lobbying purposes may notify the
15 commission that a judicial, executive or legislative lobbyist is no longer
16 authorized to lobby for the principal or the lobbyist and should be removed from
17 the commission's files.

18 2. Each person shall, before giving testimony before any committee of
19 the general assembly, give to the secretary of such committee such person's name
20 and address and the identity of any lobbyist or organization, if any, on whose
21 behalf such person appears. A person who is not a lobbyist as defined in section
22 105.470 shall not be required to give such person's address if the committee
23 determines that the giving of such address would endanger the person's physical
24 health.

25 3. (1) During any period of time in which a lobbyist continues to act as
26 an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local
27 government official lobbyist, the lobbyist shall file with the commission on
28 standardized forms prescribed by the commission monthly reports which shall be
29 due at the close of business on the tenth day of the following month;

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

33 (a) The total of all expenditures by the lobbyist or his or her lobbyist
34 principals made on behalf of all public officials, their staffs and employees, and
their spouses and dependent children, which expenditures shall be separated into

35 at least the following categories by the executive branch, judicial branch and
36 legislative branch of government: printing and publication expenses; media and
37 other advertising expenses; travel; the time, venue, and nature of any
38 entertainment; honoraria; meals, food and beverages; and gifts;

39 (b) The total of all expenditures by the lobbyist or his or her lobbyist
40 principals made on behalf of all elected local government officials, their staffs
41 and employees, and their spouses and children. Such expenditures shall be
42 separated into at least the following categories: printing and publication
43 expenses; media and other advertising expenses; travel; the time, venue, and
44 nature of any entertainment; honoraria; meals; food and beverages; and gifts;

45 (c) An itemized listing of the name of the recipient and the nature and
46 amount of each expenditure by the lobbyist or his or her lobbyist principal,
47 including a service or anything of value, for all expenditures made during any
48 reporting period, paid or provided to or for a public official or elected local
49 government official, such official's staff, employees, spouse or dependent
50 children;

51 (d) The total of all expenditures made by a lobbyist or lobbyist principal
52 for occasions and the identity of the group invited, the date, location, and
53 description of the occasion and the amount of the expenditure for each occasion
54 when any of the following are invited in writing:

55 a. All members of the senate, which may or may not include senate staff
56 and employees under the direct supervision of a state senator;

57 b. All members of the house of representatives, which may or may not
58 include house staff and employees under the direct supervision of a state
59 representative;

60 c. All members of a joint committee of the general assembly or a
61 standing committee of either the house of representatives or senate, which may
62 or may not include joint and standing committee staff;

63 d. All members of a caucus of the majority party of the house of
64 representatives, minority party of the house of representatives, majority party of
65 the senate, or minority party of the senate;

66 e. All statewide officials, which may or may not include the staff and
67 employees under the direct supervision of the statewide official;

68 (e) Any expenditure made on behalf of a public official, an elected local
69 government official or such official's staff, employees, spouse or dependent
70 children, if such expenditure is solicited by such official, the official's staff,
71 employees, or spouse or dependent children, from the lobbyist or his or her
72 lobbyist principals and the name of such person or persons, except any
73 expenditures made to any not-for-profit corporation, charitable, fraternal or civic
74 organization or other association formed to provide for good in the order of
75 benevolence and except for any expenditure reported under paragraph (d) of this
76 subdivision;

77 (f) A statement detailing any direct business relationship or association
78 or partnership the lobbyist has with any public official or elected local
79 government official. The reports required by this subdivision shall cover the time
80 periods since the filing of the last report or since the lobbyist's employment or
81 representation began, whichever is most recent.

82 4. No expenditure reported pursuant to this section shall include any
83 amount expended by a lobbyist or lobbyist principal on himself or herself. All
84 expenditures disclosed pursuant to this section shall be valued on the report at the
85 actual amount of the payment made, or the charge, expense, cost, or obligation,
86 debt or bill incurred by the lobbyist or the person the lobbyist represents.
87 Whenever a lobbyist principal employs more than one lobbyist, expenditures of
88 the lobbyist principal shall not be reported by each lobbyist, but shall be reported
89 by one of such lobbyists. No expenditure shall be made on behalf of a state
90 senator or state representative, or such public official's staff, employees, spouse,
91 or dependent children for travel or lodging outside the state of Missouri unless
92 such travel or lodging was approved prior to the date of the expenditure by the
93 administration and accounts committee of the house or the administration
94 committee of the senate.

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

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

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

108 8. Any lobbyist found to knowingly omit, conceal, or falsify in any
109 manner information required pursuant to this section shall be guilty of a class A
110 misdemeanor.

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

114 10. Any public official or other person whose name appears in any
115 lobbyist report filed pursuant to this section who contests the accuracy of the
116 portion of the report applicable to such person may petition the commission for
117 an audit of such report and shall state in writing in such petition the specific
118 disagreement with the contents of such report. The commission shall investigate
119 such allegations in the manner described in section 105.959. If the commission

120 determines that the contents of such report are incorrect, incomplete or erroneous,
121 it shall enter an order requiring filing of an amended or corrected report.

122 11. The commission shall provide a report listing the total spent by a
123 lobbyist for the month and year to any member or member-elect of the general
124 assembly, judge or judicial officer, or any other person holding an elective office
125 of state government or any elected local government official on or before the
126 twentieth day of each month. For the purpose of providing accurate information
127 to the public, the commission shall not publish information in either written or
128 electronic form for ten working days after providing the report pursuant to this
129 subsection. The commission shall not release any portion of the lobbyist report
130 if the accuracy of the report has been questioned pursuant to subsection 10 of this
131 section unless it is conspicuously marked "Under Review".

132 12. Each lobbyist or lobbyist principal by whom the lobbyist was
133 employed, or in whose behalf the lobbyist acted, shall provide a general
134 description of the proposed legislation or action by the executive branch or
135 judicial branch which the lobbyist or lobbyist principal supported or opposed.
136 This information shall be supplied to the commission on March fifteenth and
137 May thirtieth of each year.

138 13. The provisions of this section shall supersede any contradicting
139 ordinances or charter provisions.]

140

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days
2 after beginning any activities as a lobbyist, file standardized registration forms, verified by a
3 written declaration that it is made under the penalties of perjury, along with a filing fee of ten
4 dollars, with the commission. The forms shall include the lobbyist's name and business address,
5 the name and address of all persons such lobbyist employs for lobbying purposes, the name and
6 address of each lobbyist principal by whom such lobbyist is employed or in whose interest such
7 lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which
8 shall be open to the public. Each lobbyist shall file an updating statement under oath within one
9 week of any addition, deletion, or change in the lobbyist's employment or representation. The
10 filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or
11 a lobbyist employing another person for lobbying purposes may notify the commission that a
12 judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the
13 lobbyist and should be removed from the 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, legislative lobbyist, or elected local government official lobbyist, the
22 lobbyist shall file with the commission on standardized forms prescribed by the commission
23 monthly reports which shall be due at the close of business on the tenth day of the following
24 month;

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

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

33 (b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on
34 behalf of all elected local government officials, their staffs and employees, and their spouses and
35 children. Such expenditures shall be separated into at least the following categories: printing
36 and publication expenses; media and other advertising expenses; travel; the time, venue, and
37 nature of any entertainment; honoraria; meals; food and beverages; and gifts;

38 (c) An itemized listing of the name of [the] **each individual** recipient and the nature and
39 amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service
40 or anything of value, for all expenditures made during any reporting period, paid or provided to
41 or for a public official or elected local government official, such official's staff, employees,
42 spouse or dependent children;

43 (d) [The total of all expenditures made by a lobbyist or lobbyist principal for occasions
44 and the identity of the group invited, the date and description of the occasion and the amount of
45 the expenditure for each occasion when any of the following are invited in writing:

46 a. All members of the senate;

47 b. All members of the house of representatives;

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

50 d. All members of a caucus of the majority party of the house of representatives, minority
51 party of the house of representatives, majority party of the senate, or minority party of the senate;

52 (e)] Any expenditure made on behalf of a public official, an elected local government
53 official or such official's staff, employees, spouse or dependent children, if such expenditure is
54 solicited by such official, the official's staff, employees, or spouse or dependent children, from
55 the lobbyist or his or her lobbyist principals and the name of such person or persons, except any

56 expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization
57 or other association formed to provide for good in the order of benevolence;

58 [f] (e) A statement detailing any direct business relationship or association or
59 partnership the lobbyist has with any public official or elected local government official.

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

62 4. **Any tangible or intangible item, service, or thing of value exceeding fifteen**
63 **dollars that is transferred to or on behalf of the governor, lieutenant governor, secretary**
64 **of state, attorney general, state treasurer, state auditor, any member of the general**
65 **assembly, or any such official's staff, employees, spouse, or dependent children shall be**
66 **electronically reported to the commission by such official within twenty-four hours. The**
67 **report shall be filed in accordance with the standards established by the commission for**
68 **electronic filing. Each chamber of the general assembly shall conspicuously post the**
69 **contents of the reports on its website.**

70 5. No expenditure reported pursuant to this section shall include any amount expended
71 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to
72 this section shall be valued on the report at the actual amount of the payment made, or the
73 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the
74 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures
75 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of
76 such lobbyists. No expenditure shall be made on behalf of a state senator or state representative,
77 or such public official's staff, employees, spouse, or dependent children for travel or lodging
78 outside the state of Missouri unless such travel or lodging was approved prior to the date of the
79 expenditure by the administration and accounts committee of the house or the administration
80 committee of the senate.

81 [5.] 6. Any lobbyist principal shall provide in a timely fashion whatever information is
82 reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by
83 this section.

84 [6.] 7. All information required to be filed pursuant to the provisions of this section with
85 the commission shall be kept available by the executive director of the commission at all times
86 open to the public for inspection and copying for a reasonable fee for a period of five years from
87 the date when such information was filed.

88 [7.] 8. No person shall knowingly employ any person who is required to register as a
89 registered lobbyist but is not registered pursuant to this section. Any person who knowingly
90 violates this subsection shall be subject to a civil penalty in an amount of not more than ten

91 thousand dollars for each violation. Such civil penalties shall be collected by action filed by the
92 commission.

93 [8.] 9. No lobbyist shall knowingly omit, conceal, or falsify in any manner information
94 required pursuant to this section.

95 [9.] 10. The prosecuting attorney of Cole County shall be reimbursed only out of funds
96 specifically appropriated by the general assembly for investigations and prosecutions for
97 violations of this section.

98 [10.] 11. Any public official or other person whose name appears in any lobbyist report
99 filed pursuant to this section who contests the accuracy of the portion of the report applicable to
100 such person may petition the commission for an audit of such report and shall state in writing
101 in such petition the specific disagreement with the contents of such report. The commission shall
102 investigate such allegations in the manner described in section 105.959. If the commission
103 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter
104 an order requiring filing of an amended or corrected report.

105 [11.] 12. The commission shall provide a report listing the total spent by a lobbyist for
106 the month and year to any member or member-elect of the general assembly, judge or judicial
107 officer, or any other person holding an elective office of state government or any elected local
108 government official on or before the twentieth day of each month. For the purpose of providing
109 accurate information to the public, the commission shall not publish information in either written
110 or electronic form for ten working days after providing the report pursuant to this subsection.
111 The commission shall not release any portion of the lobbyist report if the accuracy of the report
112 has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked
113 "Under Review".

114 [12.] 13. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in
115 whose behalf the lobbyist acted, shall provide a general description of the proposed legislation
116 or action by the executive branch or judicial branch which the lobbyist or lobbyist principal
117 supported or opposed. This information shall be supplied to the commission on March fifteenth
118 and May thirtieth of each year.

119 [13.] 14. The provisions of this section shall supersede any contradicting ordinances or
120 charter provisions.

2 [105.485. 1. Each financial interest statement required by sections
3 105.483 to 105.492 shall be on a form prescribed by the commission and shall be
4 signed and verified by a written declaration that it is made under penalties of
5 perjury; provided, however, the form shall not seek information which is not
6 specifically required by sections 105.483 to 105.492.

7 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

8 for himself, his spouse and dependent children at any time during the period
9 covered by the statement, whether singularly or collectively; provided, however,
10 that said person, if he does not know and his spouse will not divulge any
11 information required to be reported by this section concerning the financial
12 interest of his spouse, shall state on his financial interest statement that he has
13 disclosed that information known to him and that his spouse has refused or failed
14 to provide other information upon his bona fide request, and such statement shall
15 be deemed to satisfy the requirements of this section for such financial interest
16 of his spouse; and provided further if the spouse of any person required to file a
17 financial interest statement is also required by section 105.483 to file a financial
18 interest statement, the financial interest statement filed by each need not disclose
19 the financial interest of the other, provided that each financial interest statement
20 shall state that the spouse of the person has filed a separate financial interest
21 statement and the name under which the statement was filed:

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

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

37 (3) The name and address of any other source not reported pursuant to
38 subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which
39 such person received one thousand dollars or more of income during the year
40 covered by the statement, including, but not limited to, any income otherwise
41 required to be reported on any tax return such person is required by law to file;
42 except that only the name of any publicly traded corporation or limited
43 partnership which is listed on a regulated stock exchange or automated quotation
44 system need be reported pursuant to this subdivision;

45 (4) The location by county, the subclassification for property tax
46 assessment purposes, the approximate size and a description of the major
47 improvements and use for each parcel of real property in the state, other than the
48 individual's personal residence, having a fair market value of ten thousand dollars
49 or more in which such person held a vested interest including a leasehold for a
50 term of ten years or longer, and, if the property was transferred during the year

51 covered by the statement, the name and address of the persons furnishing or
52 receiving consideration for such transfer;

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

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

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

75 (8) The name and address of each source from which such person
76 received a gift or gifts, or honorarium or honoraria in excess of two hundred
77 dollars in value per source during the year covered by the statement other than
78 gifts from persons within the third degree of consanguinity or affinity of the
79 person filing the financial interest statement. For the purposes of this section, a
80 "gift" shall not be construed to mean political contributions otherwise required
81 to be reported by law or hospitality such as food, beverages or admissions to
82 social, art, or sporting events or the like, or informational material. For the
83 purposes of this section, a "gift" shall include gifts to or by creditors of the
84 individual for the purpose of cancelling, reducing or otherwise forgiving the
85 indebtedness of the individual to that creditor;

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

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

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

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

96 (d) Expenses which are reported by the campaign committee or candidate
97 committee of the person filing the statement pursuant to the provisions of chapter
98 130; or

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

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

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

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

113 (b) Is a lobbyist; or

114 (c) Is a fee agent of the department of revenue;

115 (12) The name and address of each campaign committee, political party
116 committee, candidate committee, or political action committee for which such
117 person or any corporation listed on such person's financial interest statement
118 received payment; and

119 (13) For members of the general assembly or any statewide elected public
120 official, their spouses, and their dependent children, whether any state tax credits
121 were claimed on the member's, spouse's, or dependent child's most recent state
122 income tax return.

123 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this
124 section, an individual shall be deemed to have received a salary from his
125 employer or income from any source at the time when he shall receive a
126 negotiable instrument whether or not payable at a later date and at the time when
127 under the practice of his employer or the terms of an agreement he has earned or
128 is entitled to anything of actual value whether or not delivery of the value is
129 deferred or right to it has vested. The term income as used in this section shall
130 have the same meaning as provided in the Internal Revenue Code of 1986, and
131 amendments thereto, as the same may be or becomes effective, at any time or
132 from time to time for the taxable year, provided that income shall not be
133 considered received or earned for purposes of this section from a partnership or
134 sole proprietorship until such income is converted from business to personal use.
135

136 4. Each official, officer or employee or candidate of any political
137 subdivision described in subdivision (11) of section 105.483 shall be required to
138 file a financial interest statement as required by subsection 2 of this section,
139 unless the political subdivision biennially adopts an ordinance, order or
140 resolution at an open meeting by September fifteenth of the preceding year,
141 which establishes and makes public its own method of disclosing potential
142 conflicts of interest and substantial interests and therefore excludes the political
143 subdivision or district and its officers and employees from the requirements of
144 subsection 2 of this section. A certified copy of the ordinance, order or resolution
145 shall be sent to the commission within ten days of its adoption. The commission
146 shall assist any political subdivision in developing forms to complete the
147 requirements of this subsection. The ordinance, order or resolution shall contain,
148 at a minimum, the following requirements with respect to disclosure of
149 substantial interests:

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

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

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

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

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

172 (4) Duplicate disclosure reports made pursuant to this subsection shall
173 be filed with the commission and the governing body of the political subdivision.
174 The clerk of such governing body shall maintain such disclosure reports available
175 for public inspection and copying during normal business hours.]
176

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492
2 shall be on a form prescribed by the commission and shall be signed and verified by a written

3 declaration that it is made under penalties of perjury; provided, however, the form shall not seek
4 information which is not specifically required by sections 105.483 to 105.492.

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

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

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

31 (3) The name and address of any other source not reported pursuant to subdivisions (1)
32 and (2) and subdivisions (4) to (9) of this subsection from which such person received one
33 thousand dollars or more of income during the year covered by the statement, including, but not
34 limited to, any income otherwise required to be reported on any tax return such person is required
35 by law to file; except that only the name of any publicly traded corporation or limited partnership
36 which is listed on a regulated stock exchange or automated quotation system need be reported
37 pursuant to this subdivision;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

95 (b) Is a lobbyist; or

96 (c) Is a fee agent of the department of revenue;

97 (12) The name and address of each campaign committee, political committee, candidate
98 committee, or [continuing] **political action** committee for which such person or any corporation
99 listed on such person's financial interest statement received payment; and

100 (13) For members of the general assembly or any statewide elected public official, their
101 spouses, and their dependent children, whether any state tax credits were claimed on the
102 member's, spouse's, or dependent child's most recent state income tax return.

103 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an
104 individual shall be deemed to have received a salary from [his] **the individual's** employer or
105 income from any source at the time when [he] **the individual** shall receive a negotiable
106 instrument whether or not payable at a later date and at the time when under the practice of [his]
107 **the individual's** employer or the terms of an agreement [he] **the individual** has earned or is
108 entitled to anything of actual value whether or not delivery of the value is deferred or right to it

109 has vested. The term income as used in this section shall have the same meaning as provided
110 in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes
111 effective, at any time or from time to time for the taxable year, provided that income shall not
112 be considered received or earned for purposes of this section from a partnership or sole
113 proprietorship until such income is converted from business to personal use.

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

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

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

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

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

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

143 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
144 commission and the governing body of the political subdivision. The clerk of such governing

145 body shall maintain such disclosure reports available for public inspection and copying during
146 normal business hours.

2 [105.955. 1. A bipartisan "Missouri Ethics Commission", composed of
3 six members, is hereby established. The commission shall be assigned to the
4 office of administration with supervision by the office of administration only for
5 budgeting and reporting as provided by subdivisions (4) and (5) of subsection 6
6 of section 1 of the Reorganization Act of 1974. Supervision by the office of
7 administration shall not extend to matters relating to policies, regulative functions
8 or appeals from decisions of the commission, and the commissioner of
9 administration, any employee of the office of administration, or the governor,
10 either directly or indirectly, shall not participate or interfere with the activities of
11 the commission in any manner not specifically provided by law and shall not in
12 any manner interfere with the budget request of or withhold any moneys
13 appropriated to the commission by the general assembly. All members of the
14 commission shall be appointed by the governor with the advice and consent of
15 the senate from lists submitted pursuant to this section. Each congressional
16 district committee of the political parties having the two highest number of votes
17 cast for their candidate for governor at the last gubernatorial election shall submit
18 two names of eligible nominees for membership on the commission to the
19 governor, and the governor shall select six members from such nominees to serve
20 on the commission.

21 2. Within thirty days of submission of the person's name to the governor
22 as provided in subsection 1 of this section, and in order to be an eligible nominee
23 for appointment to the commission, a person shall file a financial interest
24 statement in the manner provided by section 105.485 and shall provide the
25 governor, the president pro tempore of the senate, and the commission with a list
26 of all political contributions and the name of the candidate or committee, political
27 party, or political action committee, as defined in chapter 130, to which those
28 contributions were made within the four-year period prior to such appointment,
29 made by the nominee, the nominee's spouse, or any business entity in which the
30 nominee has a substantial interest. The information shall be maintained by the
31 commission and available for public inspection during the period of time during
32 which the appointee is a member of the commission. In order to be an eligible
33 nominee for membership on the commission, a person shall be a citizen and a
34 resident of the state and shall have been a registered voter in the state for a period
35 of at least five years preceding the person's appointment.

36 3. The term of each member shall be for four years, except that of the
37 members first appointed, the governor shall select three members from
38 even-numbered congressional districts and three members from odd-numbered
39 districts. Not more than three members of the commission shall be members of
40 the same political party, nor shall more than one member be from any one United
41 States congressional district. Not more than two members appointed from the
even-numbered congressional districts shall be members of the same political

42 party, and no more than two members from the odd-numbered congressional
43 districts shall be members of the same political party. Of the members first
44 appointed, the terms of the members appointed from the odd-numbered
45 congressional districts shall expire on March 15, 1994, and the terms of the
46 members appointed from the even-numbered congressional districts shall expire
47 on March 15, 1996. Thereafter all successor members of the commission shall
48 be appointed for four-year terms. Terms of successor members of the
49 commission shall expire on March fifteenth of the fourth year of their term. No
50 member of the commission shall serve on the commission after the expiration of
51 the member's term. No person shall be appointed to more than one full four-year
52 term on the commission.

53 4. Vacancies or expired terms on the commission shall be filled in the
54 same manner as the original appointment was made, except as provided in this
55 subsection. Within thirty days of the vacancy or ninety days before the expiration
56 of the term, the names of two eligible nominees for membership on the
57 commission shall be submitted to the governor by the congressional district
58 committees of the political party or parties of the vacating member or members,
59 from the even- or odd-numbered congressional districts, based on the residence
60 of the vacating member or members, other than from the congressional district
61 committees from districts then represented on the commission and from the same
62 congressional district party committee or committees which originally appointed
63 the member or members whose positions are vacated. Appointments to fill
64 vacancies or expired terms shall be made within forty-five days after the deadline
65 for submission of names by the congressional district committees, and shall be
66 subject to the same qualifications for appointment and eligibility as is provided
67 in subsections 2 and 3 of this section. Appointments to fill vacancies for
68 unexpired terms shall be for the remainder of the unexpired term of the member
69 whom the appointee succeeds, and such appointees shall be eligible for
70 appointment to one full four-year term. If the congressional district committee
71 does not submit the required two nominees within the thirty days or if the
72 congressional district committee does not submit the two nominees within an
73 additional thirty days after receiving notice from the governor to submit the
74 nominees, then the governor may appoint a person or persons who shall be
75 subject to the same qualifications for appointment and eligibility as provided in
76 subsections 2 and 3 of this section.

77 5. The governor, with the advice and consent of the senate, may remove
78 any member only for substantial neglect of duty, inability to discharge the powers
79 and duties of office, gross misconduct or conviction of a felony or a crime
80 involving moral turpitude. Members of the commission also may be removed
81 from office by concurrent resolution of the general assembly signed by the
82 governor. If such resolution receives the vote of two-thirds or more of the
83 membership of both houses of the general assembly, the signature of the governor
84 shall not be necessary to effect removal. The office of any member of the

85 commission who moves from the congressional district from which the member
86 was appointed shall be deemed vacated upon such change of residence.

87 6. The commission shall elect biennially one of its members as the
88 chairman. The chairman may not succeed himself or herself after two years. No
89 member of the commission shall succeed as chairman any member of the same
90 political party as himself or herself. At least four members are necessary to
91 constitute a quorum, and at least four affirmative votes shall be required for any
92 action or recommendation of the commission.

93 7. No member or employee of the commission, during the person's term
94 of service, shall hold or be a candidate for any other public office.

95 8. In the event that a retired judge is appointed as a member of the
96 commission, the judge shall not serve as a special investigator while serving as
97 a member of the commission.

98 9. No member of the commission shall, during the member's term of
99 service or within one year thereafter:

100 (1) Be employed by the state or any political subdivision of the state;

101 (2) Be employed as a lobbyist;

102 (3) Serve on any other governmental board or commission;

103 (4) Be an officer of any political party or political organization;

104 (5) Permit the person's name to be used, or make contributions, in
105 support of or in opposition to any candidate or proposition;

106 (6) Participate in any way in any election campaign; except that a
107 member or employee of the commission shall retain the right to register and vote
108 in any election, to express the person's opinion privately on political subjects or
109 candidates, to participate in the activities of a civic, community, social, labor or
110 professional organization and to be a member of a political party.

111 10. Each member of the commission shall receive, as full compensation
112 for the member's services, the sum of one hundred dollars per day for each full
113 day actually spent on work of the commission, and the member's actual and
114 necessary expenses incurred in the performance of the member's official duties.

115 11. The commission shall appoint an executive director who shall serve
116 subject to the supervision of and at the pleasure of the commission, but in no
117 event for more than six years. The executive director shall be responsible for the
118 administrative operations of the commission and perform such other duties as
119 may be delegated or assigned to the director by law or by rule of the commission.
120 The executive director shall employ staff and retain such contract services as the
121 director deems necessary, within the limits authorized by appropriations by the
122 general assembly.

123 12. Beginning on January 1, 1993, all lobbyist registration and
124 expenditure reports filed pursuant to section 105.473, financial interest
125 statements filed pursuant to subdivision (1) of section 105.489, and campaign
126 finance disclosure reports filed other than with election authorities or local

127 election authorities as provided by section 130.026 shall be filed with the
128 commission.

129 13. Within sixty days of the initial meeting of the first commission
130 appointed, the commission shall obtain from the clerk of the supreme court or the
131 state courts administrator a list of retired appellate and circuit court judges who
132 did not leave the judiciary as a result of being defeated in an election. The
133 executive director shall determine those judges who indicate their desire to serve
134 as special investigators and to investigate any and all complaints referred to them
135 by the commission. The executive director shall maintain an updated list of those
136 judges qualified and available for appointment to serve as special investigators.
137 Such list shall be updated at least annually. The commission shall refer
138 complaints to such special investigators on that list on a rotating schedule which
139 ensures a random assignment of each special investigator. Each special
140 investigator shall receive only one unrelated investigation at a time and shall not
141 be assigned to a second or subsequent investigation until all other eligible
142 investigators on the list have been assigned to an investigation. In the event that
143 no special investigator is qualified or available to conduct a particular
144 investigation, the commission may appoint a special investigator to conduct such
145 particular investigation.

146 14. The commission shall have the following duties and responsibilities
147 relevant to the impartial and effective enforcement of sections 105.450 to
148 105.496 and chapter 130, as provided in sections 105.955 to 105.963:

149 (1) Receive and review complaints regarding alleged violation of sections
150 105.450 to 105.496 and chapter 130, conduct initial reviews and investigations
151 regarding such complaints as provided herein; refer complaints to appropriate
152 prosecuting authorities and appropriate disciplinary authorities along with
153 recommendations for sanctions; and initiate judicial proceedings as allowed by
154 sections 105.955 to 105.963;

155 (2) Review and investigate any reports and statements required by the
156 campaign finance disclosure laws contained in chapter 130, and financial interest
157 disclosure laws or lobbyist registration and reporting laws as provided by sections
158 105.470 to 105.492, for timeliness, accuracy and completeness of content as
159 provided in sections 105.955 to 105.963;

160 (3) Conduct investigations as provided in subsection 2 of section
161 105.959;

162 (4) Develop appropriate systems to file and maintain an index of all such
163 reports and statements to facilitate public access to such information, except as
164 may be limited by confidentiality requirements otherwise provided by law,
165 including cross-checking of information contained in such statements and reports.
166 The commission may enter into contracts with the appropriate filing officers to
167 effectuate such system. Such filing officers shall cooperate as necessary with the
168 commission as reasonable and necessary to effectuate such purposes;

169 (5) Provide information and assistance to lobbyists, elected and
170 appointed officials, and employees of the state and political subdivisions in
171 carrying out the provisions of sections 105.450 to 105.496 and chapter 130;

172 (6) Make recommendations to the governor and general assembly or any
173 state agency on the need for further legislation with respect to the ethical conduct
174 of public officials and employees and to advise state and local government in the
175 development of local government codes of ethics and methods of disclosing
176 conflicts of interest as the commission may deem appropriate to promote high
177 ethical standards among all elected and appointed officials or employees of the
178 state or any political subdivision thereof and lobbyists;

179 (7) Render advisory opinions as provided by this section;

180 (8) Promulgate rules relating to the provisions of sections 105.955 to
181 105.963 and chapter 130. All rules and regulations issued by the commission
182 shall be prospective only in operation;

183 (9) Request and receive from the officials and entities identified in
184 subdivision (6) of section 105.450 designations of decision-making public
185 servants.

186 15. In connection with such powers provided by sections 105.955 to
187 105.963 and chapter 130, the commission may:

188 (1) Subpoena witnesses and compel their attendance and testimony.
189 Subpoenas shall be served and enforced in the same manner provided by section
190 536.077;

191 (2) Administer oaths and affirmations;

192 (3) Take evidence and require by subpoena duces tecum the production
193 of books, papers, and other records relating to any matter being investigated or
194 to the performance of the commission's duties or exercise of its powers.
195 Subpoenas duces tecum shall be served and enforced in the same manner
196 provided by section 536.077;

197 (4) Employ such personnel, including legal counsel, and contract for
198 services including legal counsel, within the limits of its appropriation, as it deems
199 necessary provided such legal counsel, either employed or contracted, represents
200 the Missouri ethics commission before any state agency or before the courts at
201 the request of the Missouri ethics commission. Nothing in this section shall limit
202 the authority of the Missouri ethics commission as provided for in subsection 2
203 of section 105.961; and

204 (5) Obtain information from any department, division or agency of the
205 state or any political subdivision reasonably calculated to lead to the discovery
206 of evidence which will reasonably assist the commission in carrying out the
207 duties prescribed in sections 105.955 to 105.963 and chapter 130.

208 16. (1) Upon written request for an advisory opinion received by the
209 commission, and if the commission determines that the person requesting the
210 opinion would be directly affected by the application of law to the facts presented
211 by the requesting person, the commission shall issue a written opinion advising

212 the person who made the request, in response to the person's particular request,
213 regarding any issue that the commission can receive a complaint on pursuant to
214 section 105.957. The commission may decline to issue a written opinion by a
215 vote of four members and shall provide to the requesting person the reason for
216 the refusal in writing. The commission shall give an approximate time frame as
217 to when the written opinion shall be issued. Such advisory opinions shall be
218 issued no later than ninety days from the date of receipt by the commission. Such
219 requests and advisory opinions, deleting the name and identity of the requesting
220 person, shall be compiled and published by the commission on at least an annual
221 basis. Advisory opinions issued by the commission shall be maintained and
222 made available for public inspection and copying at the office of the commission
223 during normal business hours. Any advisory opinion or portion of an advisory
224 opinion rendered pursuant to this subsection shall be withdrawn by the
225 commission if, after hearing thereon, the joint committee on administrative rules
226 finds that such advisory opinion is beyond or contrary to the statutory authority
227 of the commission or is inconsistent with the legislative intent of any law enacted
228 by the general assembly, and after the general assembly, by concurrent resolution,
229 votes to adopt the findings and conclusions of the joint committee on
230 administrative rules. Any such concurrent resolution adopted by the general
231 assembly shall be published at length by the commission in its publication of
232 advisory opinions of the commission next following the adoption of such
233 resolution, and a copy of such concurrent resolution shall be maintained by the
234 commission, along with the withdrawn advisory opinion, in its public file of
235 advisory opinions. The commission shall also send a copy of such resolution to
236 the person who originally requested the withdrawn advisory opinion. Any
237 advisory opinion issued by the ethics commission shall act as legal direction to
238 any person requesting such opinion and no person shall be liable for relying on
239 the opinion and it shall act as a defense of justification against prosecution. An
240 advisory opinion of the commission shall not be withdrawn unless:

241 (a) The authorizing statute is declared unconstitutional;
242 (b) The opinion goes beyond the power authorized by statute; or
243 (c) The authorizing statute is changed to invalidate the opinion.
244 (2) Upon request, the attorney general shall give the attorney general's
245 opinion, without fee, to the commission, any elected official of the state or any
246 political subdivision, any member of the general assembly, or any director of any
247 department, division or agency of the state, upon any question of law regarding
248 the effect or application of sections 105.450 to 105.496 or chapter 130. Such
249 opinion need be in writing only upon request of such official, member or director,
250 and in any event shall be rendered within sixty days after such request is
251 delivered to the attorney general.

252 17. The state auditor and the state auditor's duly authorized employees
253 who have taken the oath of confidentiality required by section 29.070 may audit
254 the commission and in connection therewith may inspect materials relating to the

255 functions of the commission. Such audit shall include a determination of whether
256 appropriations were spent within the intent of the general assembly, but shall not
257 extend to review of any file or document pertaining to any particular
258 investigation, audit or review by the commission, an investigator or any staff or
259 person employed by the commission or under the supervision of the commission
260 or an investigator. The state auditor and any employee of the state auditor shall
261 not disclose the identity of any person who is or was the subject of an
262 investigation by the commission and whose identity is not public information as
263 provided by law.

264 18. From time to time but no more frequently than annually the
265 commission may request the officials and entities described in subdivision (6) of
266 section 105.450 to identify for the commission in writing those persons
267 associated with such office or entity which such office or entity has designated
268 as a decision-making public servant. Each office or entity delineated in
269 subdivision (6) of section 105.450 receiving such a request shall identify those
270 so designated within thirty days of the commission's request.]
271

105.955. 1. A bipartisan "Missouri Ethics Commission", composed of six members, is
2 hereby established. The commission shall be assigned to the office of administration with
3 supervision by the office of administration only for budgeting and reporting as provided by
4 subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974.
5 Supervision by the office of administration shall not extend to matters relating to policies,
6 regulative functions or appeals from decisions of the commission, and the commissioner of
7 administration, any employee of the office of administration, or the governor, either directly or
8 indirectly, shall not participate or interfere with the activities of the commission in any manner
9 not specifically provided by law and shall not in any manner interfere with the budget request
10 of or withhold any moneys appropriated to the commission by the general assembly. All
11 members of the commission shall be appointed by the governor with the advice and consent of
12 the senate from lists submitted pursuant to this section. Each congressional district committee
13 of the political parties having the two highest number of votes cast for their candidate for
14 governor at the last gubernatorial election shall submit two names of eligible nominees for
15 membership on the commission to the governor, and the governor shall select six members from
16 such nominees to serve on the commission.

17 2. Within thirty days of submission of the person's name to the governor as provided in
18 subsection 1 of this section, and in order to be an eligible nominee for appointment to the
19 commission, a person shall file a financial interest statement in the manner provided by section
20 105.485 and shall provide the governor, the president pro tempore of the senate, and the
21 commission with a list of all political contributions and the name of the candidate or committee,
22 political party, or [continuing] **political action** committee, as defined in chapter 130, to which

23 those contributions were made within the four-year period prior to such appointment, made by
24 the nominee, the nominee's spouse, or any business entity in which the nominee has a substantial
25 interest. The information shall be maintained by the commission and available for public
26 inspection during the period of time during which the appointee is a member of the commission.
27 In order to be an eligible nominee for membership on the commission, a person shall be a citizen
28 and a resident of the state and shall have been a registered voter in the state for a period of at
29 least five years preceding the person's appointment.

30 3. The term of each member shall be for four years, except that of the members first
31 appointed, the governor shall select three members from even-numbered congressional districts
32 and three members from odd-numbered districts. Not more than three members of the
33 commission shall be members of the same political party, nor shall more than one member be
34 from any one United States congressional district. Not more than two members appointed from
35 the even-numbered congressional districts shall be members of the same political party, and no
36 more than two members from the odd-numbered congressional districts shall be members of the
37 same political party. Of the members first appointed, the terms of the members appointed from
38 the odd-numbered congressional districts shall expire on March 15, 1994, and the terms of the
39 members appointed from the even-numbered congressional districts shall expire on March 15,
40 1996. Thereafter all successor members of the commission shall be appointed for four-year
41 terms. Terms of successor members of the commission shall expire on March fifteenth of the
42 fourth year of their term. No member of the commission shall serve on the commission after the
43 expiration of the member's term. No person shall be appointed to more than one full four-year
44 term on the commission.

45 4. Vacancies or expired terms on the commission shall be filled in the same manner as
46 the original appointment was made, except as provided in this subsection. Within thirty days of
47 the vacancy or ninety days before the expiration of the term, the names of two eligible nominees
48 for membership on the commission shall be submitted to the governor by the congressional
49 district committees of the political party or parties of the vacating member or members, from the
50 even- or odd-numbered congressional districts, based on the residence of the vacating member
51 or members, other than from the congressional district committees from districts then represented
52 on the commission and from the same congressional district party committee or committees
53 which originally appointed the member or members whose positions are vacated. Appointments
54 to fill vacancies or expired terms shall be made within forty-five days after the deadline for
55 submission of names by the congressional district committees, and shall be subject to the same
56 qualifications for appointment and eligibility as is provided in subsections 2 and 3 of this section.
57 Appointments to fill vacancies for unexpired terms shall be for the remainder of the unexpired
58 term of the member whom the appointee succeeds, and such appointees shall be eligible for

59 appointment to one full four-year term. If the congressional district committee does not submit
60 the required two nominees within the thirty days or if the congressional district committee does
61 not submit the two nominees within an additional thirty days after receiving notice from the
62 governor to submit the nominees, then the governor may appoint a person or persons who shall
63 be subject to the same qualifications for appointment and eligibility as provided in subsections
64 2 and 3 of this section.

65 5. The governor, with the advice and consent of the senate, may remove any member
66 only for substantial neglect of duty, inability to discharge the powers and duties of office, gross
67 misconduct or conviction of a felony or a crime involving moral turpitude. Members of the
68 commission also may be removed from office by concurrent resolution of the general assembly
69 signed by the governor. If such resolution receives the vote of two-thirds or more of the
70 membership of both houses of the general assembly, the signature of the governor shall not be
71 necessary to effect removal. The office of any member of the commission who moves from the
72 congressional district from which the member was appointed shall be deemed vacated upon such
73 change of residence.

74 6. The commission shall elect biennially one of its members as the chairman. The
75 chairman may not succeed himself or herself after two years. No member of the commission
76 shall succeed as chairman any member of the same political party as himself or herself. At least
77 four members are necessary to constitute a quorum, and at least four affirmative votes shall be
78 required for any action or recommendation of the commission.

79 7. No member or employee of the commission, during the person's term of service, shall
80 hold or be a candidate for any other public office.

81 8. In the event that a retired judge is appointed as a member of the commission, the judge
82 shall not serve as a special investigator while serving as a member of the commission.

83 9. No member of the commission shall, during the member's term of service or within
84 one year thereafter:

85 (1) Be employed by the state or any political subdivision of the state;

86 (2) Be employed as a lobbyist;

87 (3) Serve on any other governmental board or commission;

88 (4) Be an officer of any political party or political organization;

89 (5) Permit the person's name to be used, or make contributions, in support of or in
90 opposition to any candidate or proposition;

91 (6) Participate in any way in any election campaign; except that a member or employee
92 of the commission shall retain the right to register and vote in any election, to express the
93 person's opinion privately on political subjects or candidates, to participate in the activities of

94 a civic, community, social, labor or professional organization and to be a member of a political
95 party.

96 10. Each member of the commission shall receive, as full compensation for the member's
97 services, the sum of one hundred dollars per day for each full day actually spent on work of the
98 commission, and the member's actual and necessary expenses incurred in the performance of the
99 member's official duties.

100 11. The commission shall appoint an executive director who shall serve subject to the
101 supervision of and at the pleasure of the commission, but in no event for more than six years.
102 The executive director shall be responsible for the administrative operations of the commission
103 and perform such other duties as may be delegated or assigned to the director by law or by rule
104 of the commission. The executive director shall employ staff and retain such contract services
105 as the director deems necessary, within the limits authorized by appropriations by the general
106 assembly.

107 12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed
108 pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of
109 section 105.489, and campaign finance disclosure reports filed other than with election
110 authorities or local election authorities as provided by section 130.026 shall be filed with the
111 commission.

112 13. Within sixty days of the initial meeting of the first commission appointed, the
113 commission shall obtain from the clerk of the supreme court or the state courts administrator a
114 list of retired appellate and circuit court judges who did not leave the judiciary as a result of
115 being defeated in an election. The executive director shall determine those judges who indicate
116 their desire to serve as special investigators and to investigate any and all complaints referred to
117 them by the commission. The executive director shall maintain an updated list of those judges
118 qualified and available for appointment to serve as special investigators. Such list shall be
119 updated at least annually. The commission shall refer complaints to such special investigators
120 on that list on a rotating schedule which ensures a random assignment of each special
121 investigator. Each special investigator shall receive only one unrelated investigation at a time
122 and shall not be assigned to a second or subsequent investigation until all other eligible
123 investigators on the list have been assigned to an investigation. In the event that no special
124 investigator is qualified or available to conduct a particular investigation, the commission may
125 appoint a special investigator to conduct such particular investigation.

126 14. The commission shall have the following duties and responsibilities relevant to the
127 impartial and effective enforcement of sections 105.450 to 105.496 and chapter 130, as provided
128 in sections 105.955 to 105.963:

129 (1) Receive and review complaints regarding alleged violation of sections 105.450 to
130 105.496 and chapter 130, conduct initial reviews and investigations regarding such complaints
131 as provided herein; refer complaints to appropriate prosecuting authorities and appropriate
132 disciplinary authorities along with recommendations for sanctions; and initiate judicial
133 proceedings as allowed by sections 105.955 to 105.963;

134 (2) Review and audit any reports and statements required by the campaign finance
135 disclosure laws contained in chapter 130, and financial interest disclosure laws or lobbyist
136 registration and reporting laws as provided by sections 105.470 to 105.492, for timeliness,
137 accuracy and completeness of content as provided in sections 105.955 to 105.963;

138 (3) Develop appropriate systems to file and maintain an index of all such reports and
139 statements to facilitate public access to such information, except as may be limited by
140 confidentiality requirements otherwise provided by law, including cross-checking of information
141 contained in such statements and reports. The commission may enter into contracts with the
142 appropriate filing officers to effectuate such system. Such filing officers shall cooperate as
143 necessary with the commission as reasonable and necessary to effectuate such purposes;

144 (4) Provide information and assistance to lobbyists, elected and appointed officials, and
145 employees of the state and political subdivisions in carrying out the provisions of sections
146 105.450 to 105.496 and chapter 130;

147 (5) Make recommendations to the governor and general assembly or any state agency
148 on the need for further legislation with respect to the ethical conduct of public officials and
149 employees and to advise state and local government in the development of local government
150 codes of ethics and methods of disclosing conflicts of interest as the commission may deem
151 appropriate to promote high ethical standards among all elected and appointed officials or
152 employees of the state or any political subdivision thereof and lobbyists;

153 (6) Render advisory opinions as provided by this section;

154 (7) Promulgate rules relating to the provisions of sections 105.955 to 105.963 and
155 chapter 130. All rules and regulations issued by the commission shall be prospective only in
156 operation;

157 (8) Request and receive from the officials and entities identified in subdivision (6) of
158 section 105.450 designations of decision-making public servants.

159 15. In connection with such powers provided by sections 105.955 to 105.963 and chapter
160 130, the commission may:

161 (1) Subpoena witnesses and compel their attendance and testimony. Subpoenas shall be
162 served and enforced in the same manner provided by section 536.077;

163 (2) Administer oaths and affirmations;

164 (3) Take evidence and require by subpoena duces tecum the production of books, papers,
165 and other records relating to any matter being investigated or to the performance of the
166 commission's duties or exercise of its powers. Subpoenas duces tecum shall be served and
167 enforced in the same manner provided by section 536.077;

168 (4) Employ such personnel, including legal counsel, and contract for services including
169 legal counsel, within the limits of its appropriation, as it deems necessary provided such legal
170 counsel, either employed or contracted, represents the Missouri ethics commission before any
171 state agency or before the courts at the request of the Missouri ethics commission. Nothing in
172 this section shall limit the authority of the Missouri ethics commission as provided for in
173 subsection 2 of section 105.961; and

174 (5) Obtain information from any department, division or agency of the state or any
175 political subdivision reasonably calculated to lead to the discovery of evidence which will
176 reasonably assist the commission in carrying out the duties prescribed in sections 105.955 to
177 105.963 and chapter 130.

178 16. (1) Upon written request for an advisory opinion received by the commission, and
179 if the commission determines that the person requesting the opinion would be directly affected
180 by the application of law to the facts presented by the requesting person, the commission shall
181 issue a written opinion advising the person who made the request, in response to the person's
182 particular request, regarding any issue that the commission can receive a complaint on pursuant
183 to section 105.957. The commission may decline to issue a written opinion by a vote of four
184 members and shall provide to the requesting person the reason for the refusal in writing. The
185 commission shall give an approximate time frame as to when the written opinion shall be issued.
186 Such advisory opinions shall be issued no later than ninety days from the date of receipt by the
187 commission. Such requests and advisory opinions, deleting the name and identity of the
188 requesting person, shall be compiled and published by the commission on at least an annual
189 basis. Advisory opinions issued by the commission shall be maintained and made available for
190 public inspection and copying at the office of the commission during normal business hours.
191 Any advisory opinion or portion of an advisory opinion rendered pursuant to this subsection shall
192 be withdrawn by the commission if, after hearing thereon, the joint committee on administrative
193 rules finds that such advisory opinion is beyond or contrary to the statutory authority of the
194 commission or is inconsistent with the legislative intent of any law enacted by the general
195 assembly, and after the general assembly, by concurrent resolution, votes to adopt the findings
196 and conclusions of the joint committee on administrative rules. Any such concurrent resolution
197 adopted by the general assembly shall be published at length by the commission in its publication
198 of advisory opinions of the commission next following the adoption of such resolution, and a
199 copy of such concurrent resolution shall be maintained by the commission, along with the

200 withdrawn advisory opinion, in its public file of advisory opinions. The commission shall also
201 send a copy of such resolution to the person who originally requested the withdrawn advisory
202 opinion. Any advisory opinion issued by the ethics commission shall act as legal direction to any
203 person requesting such opinion and no person shall be liable for relying on the opinion and it
204 shall act as a defense of justification against prosecution. An advisory opinion of the
205 commission shall not be withdrawn unless:

- 206 (a) The authorizing statute is declared unconstitutional;
- 207 (b) The opinion goes beyond the power authorized by statute; or
- 208 (c) The authorizing statute is changed to invalidate the opinion.

209 (2) Upon request, the attorney general shall give the attorney general's opinion, without
210 fee, to the commission, any elected official of the state or any political subdivision, any member
211 of the general assembly, or any director of any department, division or agency of the state, upon
212 any question of law regarding the effect or application of sections 105.450 to 105.496, or chapter
213 130. Such opinion need be in writing only upon request of such official, member or director, and
214 in any event shall be rendered within sixty days that such request is delivered to the attorney
215 general.

216 17. The state auditor and the state auditor's duly authorized employees who have taken
217 the oath of confidentiality required by section 29.070 may audit the commission and in
218 connection therewith may inspect materials relating to the functions of the commission. Such
219 audit shall include a determination of whether appropriations were spent within the intent of the
220 general assembly, but shall not extend to review of any file or document pertaining to any
221 particular investigation, audit or review by the commission, an investigator or any staff or person
222 employed by the commission or under the supervision of the commission or an investigator. The
223 state auditor and any employee of the state auditor shall not disclose the identity of any person
224 who is or was the subject of an investigation by the commission and whose identity is not public
225 information as provided by law.

226 18. From time to time but no more frequently than annually the commission may request
227 the officials and entities described in subdivision (6) of section 105.450 to identify for the
228 commission in writing those persons associated with such office or entity which such office or
229 entity has designated as a decision-making public servant. Each office or entity delineated in
230 subdivision (6) of section 105.450 receiving such a request shall identify those so designated
231 within thirty days of the commission's request.

2 [130.011. As used in this chapter, unless the context clearly indicates
3 otherwise, the following terms mean:

- 4 (1) "Appropriate officer" or "appropriate officers", the person or persons
designated in section 130.026 to receive certain required statements and reports;

5 (2) "Ballot measure" or "measure", any proposal submitted or intended
6 to be submitted to qualified voters for their approval or rejection, including any
7 proposal submitted by initiative petition, referendum petition, or by the general
8 assembly or any local governmental body having authority to refer proposals to
9 the voter;

10 (3) "Campaign committee", a committee, other than a candidate
11 committee, which shall be formed by an individual or group of individuals to
12 receive contributions or make expenditures and whose sole purpose is to support
13 or oppose the qualification and passage of one or more particular ballot measures
14 in an election or the retention of judges under the nonpartisan court plan, such
15 committee shall be formed no later than thirty days prior to the election for which
16 the committee receives contributions or makes expenditures, and which shall
17 terminate the later of either thirty days after the general election or upon the
18 satisfaction of all committee debt after the general election, except that no
19 committee retiring debt shall engage in any other activities in support of a
20 measure for which the committee was formed;

21 (4) "Candidate", an individual who seeks nomination or election to public
22 office. The term "candidate" includes an elected officeholder who is the subject
23 of a recall election, an individual who seeks nomination by the individual's
24 political party for election to public office, an individual standing for retention
25 in an election to an office to which the individual was previously appointed, an
26 individual who seeks nomination or election whether or not the specific elective
27 public office to be sought has been finally determined by such individual at the
28 time the individual meets the conditions described in paragraph (a) or (b) of this
29 subdivision, and an individual who is a write-in candidate as defined in
30 subdivision (28) of this section. A candidate shall be deemed to seek nomination
31 or election when the person first:

32 (a) Receives contributions or makes expenditures or reserves space or
33 facilities with intent to promote the person's candidacy for office; or

34 (b) Knows or has reason to know that contributions are being received
35 or expenditures are being made or space or facilities are being reserved with the
36 intent to promote the person's candidacy for office; except that, such individual
37 shall not be deemed a candidate if the person files a statement with the
38 appropriate officer within five days after learning of the receipt of contributions,
39 the making of expenditures, or the reservation of space or facilities disavowing
40 the candidacy and stating that the person will not accept nomination or take office
41 if elected; provided that, if the election at which such individual is supported as
42 a candidate is to take place within five days after the person's learning of the
43 above-specified activities, the individual shall file the statement disavowing the
44 candidacy within one day; or

45 (c) Announces or files a declaration of candidacy for office;

46 (5) "Candidate committee", a committee which shall be formed by a
47 candidate to receive contributions or make expenditures in behalf of the person's

48 candidacy and which shall continue in existence for use by an elected candidate
49 or which shall terminate the later of either thirty days after the general election
50 for a candidate who was not elected or upon the satisfaction of all committee debt
51 after the election, except that no committee retiring debt shall engage in any other
52 activities in support of the candidate for which the committee was formed. Any
53 candidate for elective office shall have only one candidate committee for the
54 elective office sought, which is controlled directly by the candidate for the
55 purpose of making expenditures. A candidate committee is presumed to be under
56 the control and direction of the candidate unless the candidate files an affidavit
57 with the appropriate officer stating that the committee is acting without control
58 or direction on the candidate's part;

59 (6) "Cash", currency, coin, United States postage stamps, or any
60 negotiable instrument which can be transferred from one person to another person
61 without the signature or endorsement of the transferor;

62 (7) "Check", a check drawn on a state or federal bank, or a draft on a
63 negotiable order of withdrawal account in a savings and loan association or a
64 share draft account in a credit union;

65 (8) "Closing date", the date through which a statement or report is
66 required to be complete;

67 (9) "Committee", a person or any combination of persons, who accepts
68 contributions or makes expenditures for the primary or incidental purpose of
69 influencing or attempting to influence the action of voters for or against the
70 nomination or election to public office of one or more candidates or the
71 qualification, passage or defeat of any ballot measure or for the purpose of paying
72 a previously incurred campaign debt or obligation of a candidate or the debts or
73 obligations of a committee or for the purpose of contributing funds to another
74 committee:

75 (a) "Committee", does not include:

76 a. A person or combination of persons, if neither the aggregate of
77 expenditures made nor the aggregate of contributions received during a calendar
78 year exceeds five hundred dollars and if no single contributor has contributed
79 more than two hundred fifty dollars of such aggregate contributions;

80 b. An individual, other than a candidate, who accepts no contributions
81 and who deals only with the individual's own funds or property;

82 c. A corporation, cooperative association, partnership, proprietorship, or
83 joint venture organized or operated for a primary or principal purpose other than
84 that of influencing or attempting to influence the action of voters for or against
85 the nomination or election to public office of one or more candidates or the
86 qualification, passage or defeat of any ballot measure, and it accepts no
87 contributions, and all expenditures it makes are from its own funds or property
88 obtained in the usual course of business or in any commercial or other transaction
89 and which are not contributions as defined by subdivision (11) of this section;

90 d. A labor organization organized or operated for a primary or principal
91 purpose other than that of influencing or attempting to influence the action of
92 voters for or against the nomination or election to public office of one or more
93 candidates, or the qualification, passage, or defeat of any ballot measure, and it
94 accepts no contributions, and expenditures made by the organization are from its
95 own funds or property received from membership dues or membership fees
96 which were given or solicited for the purpose of supporting the normal and usual
97 activities and functions of the organization and which are not contributions as
98 defined by subdivision (11) of this section;

99 e. A person who acts as an authorized agent for a committee in soliciting
100 or receiving contributions or in making expenditures or incurring indebtedness
101 on behalf of the committee if such person renders to the committee treasurer or
102 deputy treasurer or candidate, if applicable, an accurate account of each receipt
103 or other transaction in the detail required by the treasurer to comply with all
104 record-keeping and reporting requirements of this chapter;

105 f. Any department, agency, board, institution or other entity of the state
106 or any of its subdivisions or any officer or employee thereof, acting in the
107 person's official capacity;

108 (b) The term "committee" includes, but is not limited to, each of the
109 following committees: campaign committee, candidate committee, political
110 action committee, exploratory committee, and political party committee;

111 (10) "Connected organization", any organization such as a corporation,
112 a labor organization, a membership organization, a cooperative, or trade or
113 professional association which expends funds or provides services or facilities
114 to establish, administer or maintain a committee or to solicit contributions to a
115 committee from its members, officers, directors, employees or security holders.
116 An organization shall be deemed to be the connected organization if more than
117 fifty percent of the persons making contributions to the committee during the
118 current calendar year are members, officers, directors, employees or security
119 holders of such organization or their spouses;

120 (11) "Contribution", a payment, gift, loan, advance, deposit, or donation
121 of money or anything of value for the purpose of supporting or opposing the
122 nomination or election of any candidate for public office or the qualification,
123 passage or defeat of any ballot measure, or for the support of any committee
124 supporting or opposing candidates or ballot measures or for paying debts or
125 obligations of any candidate or committee previously incurred for the above
126 purposes. A contribution of anything of value shall be deemed to have a money
127 value equivalent to the fair market value. "Contribution" includes, but is not
128 limited to:

129 (a) A candidate's own money or property used in support of the person's
130 candidacy other than expense of the candidate's food, lodging, travel, and
131 payment of any fee necessary to the filing for public office;

- 132 (b) Payment by any person, other than a candidate or committee, to
133 compensate another person for services rendered to that candidate or committee;
- 134 (c) Receipts from the sale of goods and services, including the sale of
135 advertising space in a brochure, booklet, program or pamphlet of a candidate or
136 committee and the sale of tickets or political merchandise;
- 137 (d) Receipts from fund-raising events including testimonial affairs;
- 138 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan
139 or debt or other obligation by a third party, or payment of a loan or debt or other
140 obligation by a third party if the loan or debt or other obligation was contracted,
141 used, or intended, in whole or in part, for use in an election campaign or used or
142 intended for the payment of such debts or obligations of a candidate or committee
143 previously incurred, or which was made or received by a committee;
- 144 (f) Funds received by a committee which are transferred to such
145 committee from another committee or other source, except funds received by a
146 candidate committee as a transfer of funds from another candidate committee
147 controlled by the same candidate but such transfer shall be included in the
148 disclosure reports;
- 149 (g) Facilities, office space or equipment supplied by any person to a
150 candidate or committee without charge or at reduced charges, except gratuitous
151 space for meeting purposes which is made available regularly to the public,
152 including other candidates or committees, on an equal basis for similar purposes
153 on the same conditions;
- 154 (h) The direct or indirect payment by any person, other than a connected
155 organization, of the costs of establishing, administering, or maintaining a
156 committee, including legal, accounting and computer services, fund raising and
157 solicitation of contributions for a committee;
- 158 (i) "Contribution" does not include:
- 159 a. Ordinary home hospitality or services provided without compensation
160 by individuals volunteering their time in support of or in opposition to a
161 candidate, committee or ballot measure, nor the necessary and ordinary personal
162 expenses of such volunteers incidental to the performance of voluntary activities,
163 so long as no compensation is directly or indirectly asked or given;
- 164 b. An offer or tender of a contribution which is expressly and
165 unconditionally rejected and returned to the donor within ten business days after
166 receipt or transmitted to the state treasurer;
- 167 c. Interest earned on deposit of committee funds;
- 168 d. The costs incurred by any connected organization listed pursuant to
169 subdivision (4) of subsection 5 of section 130.021 for establishing, administering
170 or maintaining a committee, or for the solicitation of contributions to a committee
171 which solicitation is solely directed or related to the members, officers, directors,
172 employees or security holders of the connected organization;
- 173 (12) "County", any one of the several counties of this state or the city of
174 St. Louis;

175 (13) "Disclosure report", an itemized report of receipts, expenditures and
176 incurred indebtedness which is prepared on forms approved by the Missouri
177 ethics commission and filed at the times and places prescribed;

178 (14) "Election", any primary, general or special election held to nominate
179 or elect an individual to public office, to retain or recall an elected officeholder
180 or to submit a ballot measure to the voters, and any caucus or other meeting of
181 a political party or a political party committee at which that party's candidate or
182 candidates for public office are officially selected. A primary election and the
183 succeeding general election shall be considered separate elections;

184 (15) "Expenditure", a payment, advance, conveyance, deposit, donation
185 or contribution of money or anything of value for the purpose of supporting or
186 opposing the nomination or election of any candidate for public office or the
187 qualification or passage of any ballot measure or for the support of any committee
188 which in turn supports or opposes any candidate or ballot measure or for the
189 purpose of paying a previously incurred campaign debt or obligation of a
190 candidate or the debts or obligations of a committee; a payment, or an agreement
191 or promise to pay, money or anything of value, including a candidate's own
192 money or property, for the purchase of goods, services, property, facilities or
193 anything of value for the purpose of supporting or opposing the nomination or
194 election of any candidate for public office or the qualification or passage of any
195 ballot measure or for the support of any committee which in turn supports or
196 opposes any candidate or ballot measure or for the purpose of paying a previously
197 incurred campaign debt or obligation of a candidate or the debts or obligations
198 of a committee. An expenditure of anything of value shall be deemed to have a
199 money value equivalent to the fair market value. "Expenditure" includes, but is
200 not limited to:

201 (a) Payment by anyone other than a committee for services of another
202 person rendered to such committee;

203 (b) The purchase of tickets, goods, services or political merchandise in
204 connection with any testimonial affair or fund-raising event of or for candidates
205 or committees, or the purchase of advertising in a brochure, booklet, program or
206 pamphlet of a candidate or committee;

207 (c) The transfer of funds by one committee to another committee;

208 (d) The direct or indirect payment by any person, other than a connected
209 organization for a committee, of the costs of establishing, administering or
210 maintaining a committee, including legal, accounting and computer services,
211 fund raising and solicitation of contributions for a committee; but

212 (e) "Expenditure" does not include:

213 a. Any news story, commentary or editorial which is broadcast or
214 published by any broadcasting station, newspaper, magazine or other periodical
215 without charge to the candidate or to any person supporting or opposing a
216 candidate or ballot measure;

217 b. The internal dissemination by any membership organization,
218 proprietorship, labor organization, corporation, association or other entity of
219 information advocating the election or defeat of a candidate or candidates or the
220 passage or defeat of a ballot measure or measures to its directors, officers,
221 members, employees or security holders, provided that the cost incurred is
222 reported pursuant to subsection 2 of section 130.051;

223 c. Repayment of a loan, but such repayment shall be indicated in required
224 reports;

225 d. The rendering of voluntary personal services by an individual of the
226 sort commonly performed by volunteer campaign workers and the payment by
227 such individual of the individual's necessary and ordinary personal expenses
228 incidental to such volunteer activity, provided no compensation is, directly or
229 indirectly, asked or given;

230 e. The costs incurred by any connected organization listed pursuant to
231 subdivision (4) of subsection 5 of section 130.021 for establishing, administering
232 or maintaining a committee, or for the solicitation of contributions to a committee
233 which solicitation is solely directed or related to the members, officers, directors,
234 employees or security holders of the connected organization;

235 f. The use of a candidate's own money or property for expense of the
236 candidate's personal food, lodging, travel, and payment of any fee necessary to
237 the filing for public office, if such expense is not reimbursed to the candidate
238 from any source;

239 (16) "Exploratory committees", a committee which shall be formed by
240 an individual to receive contributions and make expenditures on behalf of this
241 individual in determining whether or not the individual seeks elective office.
242 Such committee shall terminate no later than December thirty-first of the year
243 prior to the general election for the possible office;

244 (17) "Fund-raising event", an event such as a dinner, luncheon, reception,
245 coffee, testimonial, rally, auction or similar affair through which contributions are
246 solicited or received by such means as the purchase of tickets, payment of
247 attendance fees, donations for prizes or through the purchase of goods, services
248 or political merchandise;

249 (18) "In-kind contribution" or "in-kind expenditure", a contribution or
250 expenditure in a form other than money;

251 (19) "Labor organization", any organization of any kind, or any agency
252 or employee representation committee or plan, in which employees participate
253 and which exists for the purpose, in whole or in part, of dealing with employers
254 concerning grievances, labor disputes, wages, rates of pay, hours of employment,
255 or conditions of work;

256 (20) "Loan", a transfer of money, property or anything of ascertainable
257 monetary value in exchange for an obligation, conditional or not, to repay in
258 whole or in part and which was contracted, used, or intended for use in an
259 election campaign, or which was made or received by a committee or which was

260 contracted, used, or intended to pay previously incurred campaign debts or
261 obligations of a candidate or the debts or obligations of a committee;

262 (21) "Person", an individual, group of individuals, corporation,
263 partnership, committee, proprietorship, joint venture, any department, agency,
264 board, institution or other entity of the state or any of its political subdivisions,
265 union, labor organization, trade or professional or business association,
266 association, political party or any executive committee thereof, or any other club
267 or organization however constituted or any officer or employee of such entity
268 acting in the person's official capacity;

269 (22) "Political action committee", a committee of continuing existence
270 which is not formed, controlled or directed by a candidate, and is a committee
271 other than a candidate committee, political party committee, campaign
272 committee, exploratory committee, or debt service committee, whose primary or
273 incidental purpose is to receive contributions or make expenditures to influence
274 or attempt to influence the action of voters whether or not a particular candidate
275 or candidates or a particular ballot measure or measures to be supported or
276 opposed has been determined at the time the committee is required to file any
277 statement or report pursuant to the provisions of this chapter. Such a committee
278 includes, but is not limited to, any committee organized or sponsored by a
279 business entity, a labor organization, a professional association, a trade or
280 business association, a club or other organization and whose primary purpose is
281 to solicit, accept and use contributions from the members, employees or
282 stockholders of such entity and any individual or group of individuals who accept
283 and use contributions to influence or attempt to influence the action of voters.
284 Such committee shall be formed no later than sixty days prior to the election for
285 which the committee receives contributions or makes expenditures;

286 (23) "Political merchandise", goods such as bumper stickers, pins, hats,
287 ties, jewelry, literature, or other items sold or distributed at a fund-raising event
288 or to the general public for publicity or for the purpose of raising funds to be used
289 in supporting or opposing a candidate for nomination or election or in supporting
290 or opposing the qualification, passage or defeat of a ballot measure;

291 (24) "Political party", a political party which has the right under law to
292 have the names of its candidates listed on the ballot in a general election;

293 (25) "Political party committee", a committee of a political party which
294 may be organized as a not-for-profit corporation under Missouri law and has the
295 primary or incidental purpose of receiving contributions and making expenditures
296 to influence or attempt to influence the action of voters on behalf of the political
297 party. Political party committees shall only take the following forms:

298 (a) One congressional district committee per political party for each
299 congressional district in the state; and

300 (b) One state party committee per political party;

301 (26) "Public office" or "office", any state, judicial, county, municipal,
302 school or other district, ward, township, or other political subdivision office or
303 any political party office which is filled by a vote of registered voters;

304 (27) "Regular session", includes that period beginning on the first
305 Wednesday after the first Monday in January and ending following the first
306 Friday after the second Monday in May;

307 (28) "Write-in candidate", an individual whose name is not printed on the
308 ballot but who otherwise meets the definition of candidate in subdivision (4) of
309 this section.]

310

130.011. As used in this chapter, unless the context clearly indicates otherwise, the
2 following terms mean:

3 (1) "Appropriate officer" or "appropriate officers", the person or persons designated in
4 section 130.026 to receive certain required statements and reports;

5 (2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted
6 to qualified voters for their approval or rejection, including any proposal submitted by initiative
7 petition, referendum petition, or by the general assembly or any local governmental body having
8 authority to refer proposals to the voter;

9 (3) "Candidate", an individual who seeks nomination or election to public office. The
10 term "candidate" includes an elected officeholder who is the subject of a recall election, an
11 individual who seeks nomination by the individual's political party for election to public office,
12 an individual standing for retention in an election to an office to which the individual was
13 previously appointed, an individual who seeks nomination or election whether or not the specific
14 elective public office to be sought has been finally determined by such individual at the time the
15 individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an
16 individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate
17 shall be deemed to seek nomination or election when the person first:

18 (a) Receives contributions or makes expenditures or reserves space or facilities with
19 intent to promote the person's candidacy for office; or

20 (b) Knows or has reason to know that contributions are being received or expenditures
21 are being made or space or facilities are being reserved with the intent to promote the person's
22 candidacy for office; except that, such individual shall not be deemed a candidate if the person
23 files a statement with the appropriate officer within five days after learning of the receipt of
24 contributions, the making of expenditures, or the reservation of space or facilities disavowing
25 the candidacy and stating that the person will not accept nomination or take office if elected;
26 provided that, if the election at which such individual is supported as a candidate is to take place
27 within five days after the person's learning of the above-specified activities, the individual shall
28 file the statement disavowing the candidacy within one day; or

- 29 (c) Announces or files a declaration of candidacy for office;
- 30 (4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument
31 which can be transferred from one person to another person without the signature or endorsement
32 of the transferor;
- 33 (5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order
34 of withdrawal account in a savings and loan association or a share draft account in a credit union;
- 35 (6) "Closing date", the date through which a statement or report is required to be
36 complete;
- 37 (7) "Committee", a person or any combination of persons, who accepts contributions or
38 makes expenditures for the primary or incidental purpose of influencing or attempting to
39 influence the action of voters for or against the nomination or election to public office of one or
40 more candidates or the qualification, passage or defeat of any ballot measure or for the purpose
41 of paying a previously incurred campaign debt or obligation of a candidate or the debts or
42 obligations of a committee or for the purpose of contributing funds to another committee:
- 43 (a) "Committee", does not include:
- 44 a. A person or combination of persons, if neither the aggregate of expenditures made nor
45 the aggregate of contributions received during a calendar year exceeds five hundred dollars and
46 if no single contributor has contributed more than two hundred fifty dollars of such aggregate
47 contributions;
- 48 b. An individual, other than a candidate, who accepts no contributions and who deals
49 only with the individual's own funds or property;
- 50 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
51 organized or operated for a primary or principal purpose other than that of influencing or
52 attempting to influence the action of voters for or against the nomination or election to public
53 office of one or more candidates or the qualification, passage or defeat of any ballot measure, and
54 it accepts no contributions, and all expenditures it makes are from its own funds or property
55 obtained in the usual course of business or in any commercial or other transaction and which are
56 not contributions as defined by subdivision (12) of this section;
- 57 d. A labor organization organized or operated for a primary or principal purpose other
58 than that of influencing or attempting to influence the action of voters for or against the
59 nomination or election to public office of one or more candidates, or the qualification, passage,
60 or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the
61 organization are from its own funds or property received from membership dues or membership
62 fees which were given or solicited for the purpose of supporting the normal and usual activities
63 and functions of the organization and which are not contributions as defined by subdivision (12)
64 of this section;

65 e. A person who acts as an authorized agent for a committee in soliciting or receiving
66 contributions or in making expenditures or incurring indebtedness on behalf of the committee
67 if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable,
68 an accurate account of each receipt or other transaction in the detail required by the treasurer to
69 comply with all record-keeping and reporting requirements of this chapter;

70 f. Any department, agency, board, institution or other entity of the state or any of its
71 subdivisions or any officer or employee thereof, acting in the person's official capacity;

72 (b) The term "committee" includes, but is not limited to, each of the following
73 committees: campaign committee, candidate committee, continuing committee and political
74 party committee;

75 (8) "Campaign committee", a committee, other than a candidate committee, which shall
76 be formed by an individual or group of individuals to receive contributions or make expenditures
77 and whose sole purpose is to support or oppose the qualification and passage of one or more
78 particular ballot measures in an election or the retention of judges under the nonpartisan court
79 plan, such committee shall be formed no later than thirty days prior to the election for which the
80 committee receives contributions or makes expenditures, and which shall terminate the later of
81 either thirty days after the general election or upon the satisfaction of all committee debt after
82 the general election, except that no committee retiring debt shall engage in any other activities
83 in support of a measure for which the committee was formed;

84 (9) "Candidate committee", a committee which shall be formed by a candidate to receive
85 contributions or make expenditures in behalf of the person's candidacy and which shall continue
86 in existence for use by an elected candidate or which shall terminate the later of either thirty days
87 after the general election for a candidate who was not elected or upon the satisfaction of all
88 committee debt after the election, except that no committee retiring debt shall engage in any
89 other activities in support of the candidate for which the committee was formed. Any candidate
90 for elective office shall have only one candidate committee for the elective office sought, which
91 is controlled directly by the candidate for the purpose of making expenditures. A candidate
92 committee is presumed to be under the control and direction of the candidate unless the candidate
93 files an affidavit with the appropriate officer stating that the committee is acting without control
94 or direction on the candidate's part;

95 (10) "[Continuing] **Political action** committee", a committee of continuing existence
96 which is not formed, controlled or directed by a candidate, and is a committee other than a
97 candidate committee [or] , **political party committee**, campaign committee, **exploratory**
98 **committee, or debt service committee**, whose primary or incidental purpose is to receive
99 contributions or make expenditures to influence or attempt to influence the action of voters
100 whether or not a particular candidate or candidates or a particular ballot measure or measures to

101 be supported or opposed has been determined at the time the committee is required to file any
102 statement or report pursuant to the provisions of this chapter. ["Continuing committee"] **Such**
103 **a committee** includes, but is not limited to, any committee organized or sponsored by a business
104 entity, a labor organization, a professional association, a trade or business association, a club or
105 other organization and whose primary purpose is to solicit, accept and use contributions from the
106 members, employees or stockholders of such entity and any individual or group of individuals
107 who accept and use contributions to influence or attempt to influence the action of voters. Such
108 committee shall be formed no later than sixty days prior to the election for which the committee
109 receives contributions or makes expenditures;

110 (11) "Connected organization", any organization such as a corporation, a labor
111 organization, a membership organization, a cooperative, or trade or professional association
112 which expends funds or provides services or facilities to establish, administer or maintain a
113 committee or to solicit contributions to a committee from its members, officers, directors,
114 employees or security holders. An organization shall be deemed to be the connected
115 organization if more than fifty percent of the persons making contributions to the committee
116 during the current calendar year are members, officers, directors, employees or security holders
117 of such organization or their spouses;

118 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
119 anything of value for the purpose of supporting or opposing the nomination or election of any
120 candidate for public office or the qualification, passage or defeat of any ballot measure, or for
121 the support of any committee supporting or opposing candidates or ballot measures or for paying
122 debts or obligations of any candidate or committee previously incurred for the above purposes.
123 A contribution of anything of value shall be deemed to have a money value equivalent to the fair
124 market value. "Contribution" includes, but is not limited to:

125 (a) A candidate's own money or property used in support of the person's candidacy other
126 than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the
127 filing for public office;

128 (b) Payment by any person, other than a candidate or committee, to compensate another
129 person for services rendered to that candidate or committee;

130 (c) Receipts from the sale of goods and services, including the sale of advertising space
131 in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets
132 or political merchandise;

133 (d) Receipts from fund-raising events including testimonial affairs;

134 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other
135 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the
136 loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in

137 an election campaign or used or intended for the payment of such debts or obligations of a
138 candidate or committee previously incurred, or which was made or received by a committee;

139 (f) Funds received by a committee which are transferred to such committee from another
140 committee or other source, except funds received by a candidate committee as a transfer of funds
141 from another candidate committee controlled by the same candidate but such transfer shall be
142 included in the disclosure reports;

143 (g) Facilities, office space or equipment supplied by any person to a candidate or
144 committee without charge or at reduced charges, except gratuitous space for meeting purposes
145 which is made available regularly to the public, including other candidates or committees, on an
146 equal basis for similar purposes on the same conditions;

147 (h) The direct or indirect payment by any person, other than a connected organization,
148 of the costs of establishing, administering, or maintaining a committee, including legal,
149 accounting and computer services, fund raising and solicitation of contributions for a committee;

150 (i) "Contribution" does not include:

151 a. Ordinary home hospitality or services provided without compensation by individuals
152 volunteering their time in support of or in opposition to a candidate, committee or ballot
153 measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the
154 performance of voluntary activities, so long as no compensation is directly or indirectly asked
155 or given;

156 b. An offer or tender of a contribution which is expressly and unconditionally rejected
157 and returned to the donor within ten business days after receipt or transmitted to the state
158 treasurer;

159 c. Interest earned on deposit of committee funds;

160 d. The costs incurred by any connected organization listed pursuant to subdivision [(4)]
161 (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a
162 committee, or for the solicitation of contributions to a committee which solicitation is solely
163 directed or related to the members, officers, directors, employees or security holders of the
164 connected organization;

165 (13) "County", any one of the several counties of this state or the city of St. Louis;

166 (14) "Disclosure report", an itemized report of receipts, expenditures and incurred
167 indebtedness which is prepared on forms approved by the Missouri ethics commission and filed
168 at the times and places prescribed;

169 (15) "Election", any primary, general or special election held to nominate or elect an
170 individual to public office, to retain or recall an elected officeholder or to submit a ballot
171 measure to the voters, and any caucus or other meeting of a political party or a political party

172 committee at which that party's candidate or candidates for public office are officially selected.
173 A primary election and the succeeding general election shall be considered separate elections;

174 (16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution
175 of money or anything of value for the purpose of supporting or opposing the nomination or
176 election of any candidate for public office or the qualification or passage of any ballot measure
177 or for the support of any committee which in turn supports or opposes any candidate or ballot
178 measure or for the purpose of paying a previously incurred campaign debt or obligation of a
179 candidate or the debts or obligations of a committee; a payment, or an agreement or promise to
180 pay, money or anything of value, including a candidate's own money or property, for the
181 purchase of goods, services, property, facilities or anything of value for the purpose of supporting
182 or opposing the nomination or election of any candidate for public office or the qualification or
183 passage of any ballot measure or for the support of any committee which in turn supports or
184 opposes any candidate or ballot measure or for the purpose of paying a previously incurred
185 campaign debt or obligation of a candidate or the debts or obligations of a committee. An
186 expenditure of anything of value shall be deemed to have a money value equivalent to the fair
187 market value. "Expenditure" includes, but is not limited to:

188 (a) Payment by anyone other than a committee for services of another person rendered
189 to such committee;

190 (b) The purchase of tickets, goods, services or political merchandise in connection with
191 any testimonial affair or fund-raising event of or for candidates or committees, or the purchase
192 of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

193 (c) The transfer of funds by one committee to another committee;

194 (d) The direct or indirect payment by any person, other than a connected organization
195 for a committee, of the costs of establishing, administering or maintaining a committee,
196 including legal, accounting and computer services, fund raising and solicitation of contributions
197 for a committee; but

198 (e) "Expenditure" does not include:

199 a. Any news story, commentary or editorial which is broadcast or published by any
200 broadcasting station, newspaper, magazine or other periodical without charge to the candidate
201 or to any person supporting or opposing a candidate or ballot measure;

202 b. The internal dissemination by any membership organization, proprietorship, labor
203 organization, corporation, association or other entity of information advocating the election or
204 defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to
205 its directors, officers, members, employees or security holders, provided that the cost incurred
206 is reported pursuant to subsection 2 of section 130.051;

207 c. Repayment of a loan, but such repayment shall be indicated in required reports;

208 d. The rendering of voluntary personal services by an individual of the sort commonly
209 performed by volunteer campaign workers and the payment by such individual of the individual's
210 necessary and ordinary personal expenses incidental to such volunteer activity, provided no
211 compensation is, directly or indirectly, asked or given;

212 e. The costs incurred by any connected organization listed pursuant to subdivision [(4)]
213 (5) of subsection 5 of section 130.021 for establishing, administering or maintaining a
214 committee, or for the solicitation of contributions to a committee which solicitation is solely
215 directed or related to the members, officers, directors, employees or security holders of the
216 connected organization;

217 f. The use of a candidate's own money or property for expense of the candidate's personal
218 food, lodging, travel, and payment of any fee necessary to the filing for public office, if such
219 expense is not reimbursed to the candidate from any source;

220 (17) "Exploratory committees", a committee which shall be formed by an individual to
221 receive contributions and make expenditures on behalf of this individual in determining whether
222 or not the individual seeks elective office.

223 Such committee shall terminate no later than December thirty-first of the year prior to the general
224 election for the possible office;

225 (18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee,
226 testimonial, rally, auction or similar affair through which contributions are solicited or received
227 by such means as the purchase of tickets, payment of attendance fees, donations for prizes or
228 through the purchase of goods, services or political merchandise;

229 (19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a
230 form other than money;

231 (20) "Labor organization", any organization of any kind, or any agency or employee
232 representation committee or plan, in which employees participate and which exists for the
233 purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
234 wages, rates of pay, hours of employment, or conditions of work;

235 (21) "Loan", a transfer of money, property or anything of ascertainable monetary value
236 in exchange for an obligation, conditional or not, to repay in whole or in part and which was
237 contracted, used, or intended for use in an election campaign, or which was made or received by
238 a committee or which was contracted, used, or intended to pay previously incurred campaign
239 debts or obligations of a candidate or the debts or obligations of a committee;

240 (22) "Person", an individual, group of individuals, corporation, partnership, committee,
241 proprietorship, joint venture, any department, agency, board, institution or other entity of the
242 state or any of its political subdivisions, union, labor organization, trade or professional or
243 business association, association, political party or any executive committee thereof, or any other

244 club or organization however constituted or any officer or employee of such entity acting in the
245 person's official capacity;

246 (23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
247 literature, or other items sold or distributed at a fund-raising event or to the general public for
248 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for
249 nomination or election or in supporting or opposing the qualification, passage or defeat of a
250 ballot measure;

251 (24) "Political party", a political party which has the right under law to have the names
252 of its candidates listed on the ballot in a general election;

253 (25) "Political party committee", a state, district, county, city, or area committee of a
254 political party, as defined in section 115.603, which may be organized as a not-for-profit
255 corporation under Missouri law, and which committee is of continuing existence, and has the
256 primary or incidental purpose of receiving contributions and making expenditures to influence
257 or attempt to influence the action of voters on behalf of the political party;

258 (26) "Public office" or "office", any state, judicial, county, municipal, school or other
259 district, ward, township, or other political subdivision office or any political party office which
260 is filled by a vote of registered voters;

261 (27) "Regular session", includes that period beginning on the first Wednesday after the
262 first Monday in January and ending following the first Friday after the second Monday in May;

263 (28) **"Responsible party", an individual contacted by a candidate, committee, or
264 agent thereof for the purpose of soliciting a contribution from a group of individuals,
265 corporation, partnership, committee, proprietorship, joint venture, any department,
266 agency, board, institution, or other entity of the state or any of its political subdivisions,
267 union, labor organization, trade or professional or business association, association,
268 political party or any executive committee thereof, or any other club or organization
269 however constituted or any officer or employee of such entity acting in the person's official
270 capacity. In the case of a contribution received absent a solicitation by a candidate,
271 committee, or agent thereof, the highest-ranking individual officer, executive, or director
272 of the group of individuals, corporation, partnership, committee, proprietorship, joint
273 venture, department, agency, board, institution, or other entity of the state or any of its
274 political subdivisions, union, labor organization, trade or professional or business
275 association, association, political party or any executive committee thereof, or any other
276 club or organization however constituted making the contribution;**

277 (29) "Write-in candidate", an individual whose name is not printed on the ballot but who
278 otherwise meets the definition of candidate in subdivision (3) of this section.

2 [130.021. 1. Every committee shall have a treasurer who, except as
3 provided in subsection 10 of this section, shall be a resident of this state. A
4 committee may also have a deputy treasurer who, except as provided in
5 subsection 10 of this section, shall be a resident of this state and serve in the
6 capacity of committee treasurer in the event the committee treasurer is unable for
7 any reason to perform the treasurer's duties.

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

23 3. A candidate who has more than one candidate committee supporting
24 the person's candidacy shall designate one of those candidate committees as the
25 committee responsible for consolidating the aggregate contributions to all such
26 committees under the candidate's control and direction as required by section
27 130.041. No person shall form a new committee or serve as a deputy treasurer
28 of any committee as defined in section 130.011 until the person or the treasurer
29 of any committee previously formed by the person or where the person served as
30 treasurer or deputy treasurer has filed all required campaign disclosure reports
31 and statements of limited activity for all prior elections and paid outstanding
32 previously imposed fees assessed against that person by the ethics commission.

33 4. (1) Every committee shall have a single official fund depository
34 within this state which shall be a federally or state-chartered bank, a federally or
35 state-chartered savings and loan association, or a federally or state-chartered
36 credit union in which the committee shall open and thereafter maintain at least
37 one official depository account in its own name. An "official depository account"
38 shall be a checking account or some type of negotiable draft or negotiable order
39 of withdrawal account, and the official fund depository shall, regarding an
40 official depository account, be a type of financial institution which provides a
41 record of deposits, cancelled checks or other cancelled instruments of withdrawal
42 evidencing each transaction by maintaining copies within this state of such
43 instruments and other transactions. All contributions which the committee
receives in money, checks and other negotiable instruments shall be deposited in

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

55 (2) A committee treasurer, deputy treasurer or candidate may withdraw
56 funds from a committee's official depository account and deposit such funds in
57 one or more savings accounts in the committee's name in any bank, savings and
58 loan association or credit union within this state, and may also withdraw funds
59 from an official depository account for investment in the committee's name in any
60 certificate of deposit, bond or security. Proceeds from interest or dividends from
61 a savings account or other investment or proceeds from withdrawals from a
62 savings account or from the sale of an investment shall not be expended or
63 reinvested, except in the case of renewals of certificates of deposit, without first
64 redepositing such proceeds in an official depository account. Investments, other
65 than savings accounts, held outside the committee's official depository account
66 at any time during a reporting period shall be disclosed by description, amount,
67 any identifying numbers and the name and address of any institution or person in
68 which or through which it is held in an attachment to disclosure reports the
69 committee is required to file.

70 Proceeds from an investment such as interest or dividends or proceeds from its
71 sale, shall be reported by date and amount. In the case of the sale of an
72 investment, the names and addresses of the persons involved in the transaction
73 shall also be stated. Funds held in savings accounts and investments, including
74 interest earned, shall be included in the report of money on hand as required by
75 section 130.041.

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

84 (1) The name, mailing address and telephone number, if any, of the
85 committee filing the statement of organization. If the committee is deemed to be
86 affiliated with a connected organization as provided in subdivision (10) of section

87 130.011, the name of the connected organization, or a legally registered fictitious
88 name which reasonably identifies the connected organization, shall appear in the
89 name of the committee. If the committee is a candidate committee, the name of
90 the candidate shall be a part of the committee's name;

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

92 (3) The name, mailing address and telephone number of the committee
93 treasurer, and the name, mailing address and telephone number of its deputy
94 treasurer if the committee has named a deputy treasurer;

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

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

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

102 (7) Identification of the major nature of the committee such as a
103 candidate committee, campaign committee, political action committee, political
104 party committee, incumbent committee, or any other committee according to the
105 definition of committee in section 130.011;

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

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

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

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

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

125 8. Upon termination of a committee, a termination statement indicating
126 dissolution shall be filed not later than ten days after the date of dissolution with
127 the appropriate officer or officers with whom the committee's statement of
128 organization was filed. The termination statement shall include:

129 the distribution made of any remaining surplus funds and the disposition of any
 130 deficits; and the name, mailing address and telephone number of the individual
 131 responsible for preserving the committee's records and accounts as required in
 132 section 130.036.

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

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

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

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

146 11. If a committee domiciled in this state receives a contribution of one
 147 thousand five hundred dollars or more from any committee domiciled outside of
 148 this state, the committee domiciled in this state shall file a disclosure report with
 149 the commission. The report shall disclose the full name, mailing address,
 150 telephone numbers and domicile of the contributing committee and the date and
 151 amount of the contribution. The report shall be filed within forty-eight hours of
 152 the receipt of such contribution if the contribution is received after the last
 153 reporting date before the election.]

154

2 [130.026. 1. For the purpose of this section, the term "election authority"
 3 or "local election authority" means the county clerk, except that in a city or
 4 county having a board of election commissioners the board of election
 5 commissioners shall be the election authority. For any political subdivision or
 6 other district which is situated within the jurisdiction of more than one election
 7 authority, as defined herein, the election authority is the one in whose jurisdiction
 8 the candidate resides or, in the case of ballot measures, the one in whose
 9 jurisdiction the most populous portion of the political subdivision or district for
 10 which an election is held is situated, except that a county clerk or a county board
 11 of election commissioners shall be the election authority for all candidates for
 12 elective county offices other than county clerk and for any countywide ballot
 13 measures.

14 2. The appropriate officer or officers for candidates and ballot measures
 shall be as follows:

15 (1) In the case of candidates for the offices of governor, lieutenant
 16 governor, secretary of state, state treasurer, state auditor, attorney general, judges

17 of the supreme court and appellate court judges, the appropriate officer shall be
18 the Missouri ethics commission;

19 (2) Notwithstanding the provisions of subsection 1 of this section, in the
20 case of candidates for the offices of state senator, state representative, county
21 clerk, and associate circuit court judges and circuit court judges, the appropriate
22 officers shall be the Missouri ethics commission and the election authority for the
23 place of residence of the candidate;

24 (3) In the case of candidates for elective municipal offices in
25 municipalities of more than one hundred thousand inhabitants and elective county
26 offices in counties of more than one hundred thousand inhabitants, the
27 appropriate officers shall be the Missouri ethics commission and the election
28 authority of the municipality or county in which the candidate seeks office;

29 (4) In the case of all other offices, the appropriate officer shall be the
30 election authority of the district or political subdivision for which the candidate
31 seeks office;

32 (5) In the case of ballot measures, the appropriate officer or officers shall
33 be:

34 (a) The Missouri ethics commission for a statewide measure;

35 (b) The local election authority for any political subdivision or district as
36 determined by the provisions of subsection 1 of this section for any measure,
37 other than a statewide measure, to be voted on in that political subdivision or
38 district.

39 3. The appropriate officer or officers for candidate committees and
40 campaign committees shall be the same as designated in subsection 2 of this
41 section for the candidates or ballot measures supported or opposed as indicated
42 in the statement of organization required to be filed by any such committee.

43 4. The appropriate officer for political party committees shall be as
44 follows:

45 (1) In the case of state party committees, the appropriate officer shall be
46 the Missouri ethics commission;

47 (2) In the case of any district, county or city political party committee, the
48 appropriate officer shall be the Missouri ethics commission and the election
49 authority for that district, county or city.

50 5. The appropriate officers for a political action committee and for any
51 other committee not named in subsections 3, 4 and 5 of this section shall be as
52 follows:

53 (1) The Missouri ethics commission and the election authority for the
54 county in which the committee is domiciled; and

55 (2) If the committee makes or anticipates making expenditures other than
56 direct contributions which aggregate more than five hundred dollars to support
57 or oppose one or more candidates or ballot measures in the same political
58 subdivision or district for which the appropriate officer is an election authority
59 other than the one for the county in which the committee is domiciled, the

60 appropriate officers for that committee shall include such other election authority
61 or authorities, except that committees covered by this subsection need not file
62 statements required by section 130.021 and reports required by subsections 6, 7
63 and 8 of section 130.046 with any appropriate officer other than those set forth
64 in subdivision (1) of this subsection.

65 6. The term "domicile" or "domiciled" means the address of the
66 committee listed on the statement of organization required to be filed by that
67 committee in accordance with the provisions of section 130.021.]
68

[130.028. 1. Every person, labor organization, or corporation organized
2 or existing by virtue of the laws of this state, or doing business in this state who
3 shall:

4 (1) Discriminate or threaten to discriminate against any member in this
5 state with respect to his membership, or discharge or discriminate or threaten to
6 discriminate against any employee in this state, with respect to his compensation,
7 terms, conditions or privileges of employment by reason of his political beliefs
8 or opinions; or

9 (2) Coerce or attempt to coerce, intimidate or bribe any member or
10 employee to vote or refrain from voting for any candidate at any election in this
11 state; or

12 (3) Coerce or attempt to coerce, intimidate or bribe any member or
13 employee to vote or refrain from voting for any issue at any election in this state;
14 or

15 (4) Make any member or employee as a condition of membership or
16 employment, contribute to any candidate, political committee or separate political
17 fund; or

18 (5) Discriminate or threaten to discriminate against any member or
19 employee in this state for contributing or refusing to contribute to any candidate,
20 political committee or separate political fund with respect to the privileges of
21 membership or with respect to his employment and the compensation, terms,
22 conditions or privileges related thereto shall be guilty of a misdemeanor, and
23 upon conviction thereof be punished by a fine of not more than five thousand
24 dollars and confinement for not more than six months, or both, provided, after
25 January 1, 1979, the violation of this subsection shall be a class D felony.

26 2. No employer, corporation, political action committee, or labor
27 organization shall receive or cause to be made contributions from its members or
28 employees except on the advance voluntary permission of the members or
29 employees. Violation of this section by the corporation, employer, political
30 action committee or labor organization shall be a class A misdemeanor.

31 3. An employer shall, upon written request by ten or more employees,
32 provide its employees with the option of contributing to a political action
33 committee as defined in section 130.011 through payroll deduction, if the
34 employer has a system of payroll deduction. No contribution to a political action

35 committee from an employee through payroll deduction shall be made other than
36 to a political action committee voluntarily chosen by the employee. Violation of
37 this section shall be a class A misdemeanor.

38 4. Any person aggrieved by any act prohibited by this section shall, in
39 addition to any other remedy provided by law, be entitled to maintain within one
40 year from the date of the prohibited act, a civil action in the courts of this state,
41 and if successful, he shall be awarded civil damages of not less than one hundred
42 dollars and not more than one thousand dollars, together with his costs, including
43 reasonable attorney's fees. Each violation shall be a separate cause of action.]
44

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

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

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

31 4. No anonymous contribution of more than twenty-five dollars shall be
32 made by any person, and no anonymous contribution of more than twenty-five
33 dollars shall be accepted by any candidate or committee. If any anonymous
contribution of more than twenty-five dollars is received, it shall be returned

34 immediately to the contributor, if the contributor's identity can be ascertained,
35 and if the contributor's identity cannot be ascertained, the candidate, committee
36 treasurer or deputy treasurer shall immediately transmit that portion of the
37 contribution which exceeds twenty-five dollars to the state treasurer and it shall
38 escheat to the state.

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

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

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

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

61 (3) The person responsible for conducting the activity or event does not
62 knowingly accept payment from any single person of more than one hundred
63 dollars unless the name and address of the person making such payment is
64 obtained and recorded pursuant to the record-keeping requirements of section
65 130.036;

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

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

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

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

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

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

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

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

90 7. No candidate or committee in this state shall accept contributions from
91 any out-of-state committee unless the out-of-state committee from whom the
92 contributions are received has filed a statement of organization pursuant to
93 section 130.021 or has filed the reports required by sections 130.049 and
94 130.050, whichever is applicable to that committee.

95 8. Any person publishing, circulating, or distributing any printed matter
96 relative to any candidate for public office or any ballot measure shall on the face
97 of the printed matter identify in a clear and conspicuous manner the person who
98 paid for the printed matter with the words "Paid for by" followed by the proper
99 identification of the sponsor pursuant to this section. For the purposes of this
100 section, "printed matter" shall be defined to include any pamphlet, circular,
101 handbill, sample ballot, advertisement, including advertisements in any
102 newspaper or other periodical, sign, including signs for display on motor
103 vehicles, or other imprinted or lettered material; but "printed matter" is defined
104 to exclude materials printed and purchased prior to May 20, 1982, if the
105 candidate or committee can document that delivery took place prior to May 20,
106 1982; any sign personally printed and constructed by an individual without
107 compensation from any other person and displayed at that individual's place of
108 residence or on that individual's personal motor vehicle; any items of personal
109 use given away or sold, such as campaign buttons, pins, pens, pencils, book
110 matches, campaign jewelry, or clothing, which is paid for by a candidate or
111 committee which supports a candidate or supports or opposes a ballot measure
112 and which is obvious in its identification with a specific candidate or committee
113 and is reported as required by this chapter; and any news story, commentary, or
114 editorial printed by a regularly published newspaper or other periodical without
115 charge to a candidate, committee or any other person.

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

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

123 (3) In regard to any printed matter paid for by a corporation or other
124 business entity, labor organization, or any other organization not defined to be a
125 committee by subdivision (9) of section 130.011 and not organized especially for
126 influencing one or more elections, it shall be sufficient identification to print the
127 name of the entity, the name of the principal officer of the entity, by whatever
128 title known, and the mailing address of the entity, or if the entity has no mailing
129 address, the mailing address of the principal officer.

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

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

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

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

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

158 13. Political action committees shall only receive contributions from
159 individuals; unions; federal political action committees; and corporations,
160 associations, and partnerships formed under chapters 347 to 360, and shall be
161 prohibited from receiving contributions from other political action committees,

162 candidate committees, political party committees, campaign committees,
163 exploratory committees, or debt service committees. However, candidate
164 committees, political party committees, campaign committees, exploratory
165 committees, and debt service committees shall be allowed to return contributions
166 to a donor political action committee that is the origin of the contribution.

167 14. The prohibited committee transfers described in subsection 13 of this
168 section shall not apply to the following committees:

169 (1) The state house committee per political party designated by the
170 respective majority or minority floor leader of the house of representatives or the
171 chair of the state party if the party does not have majority or minority party status;

172 (2) The state senate committee per political party designated by the
173 respective majority or minority floor leader of the senate or the chair of the state
174 party if the party does not have majority or minority party status.

175 15. No person shall transfer anything of value to any committee with the
176 intent to conceal, from the ethics commission, the identity of the actual source.
177 Any violation of this subsection shall be punishable as follows:

178 (1) For the first violation, the ethics commission shall notify such person
179 that the transfer to the committee is prohibited under this section within five days
180 of determining that the transfer is prohibited, and that such person shall notify the
181 committee to which the funds were transferred that the funds must be returned
182 within ten days of such notification;

183 (2) For the second violation, the person transferring the funds shall be
184 guilty of a class C misdemeanor;

185 (3) For the third and subsequent violations, the person transferring the
186 funds shall be guilty of a class D felony.

187 16. Beginning January 1, 2011, all committees required to file campaign
188 financial disclosure reports with the Missouri ethics commission shall file any
189 required disclosure report in an electronic format as prescribed by the ethics
190 commission.]

191

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.

7 2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed
8 a statement of exemption pursuant to that subsection and every candidate for offices listed in
9 subsection 6 of section 130.016 who is not excluded from filing a statement of organization and
10 disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee
11 and appoint a treasurer. Thereafter, all contributions on hand and all further contributions

12 received by such candidate and any of the candidate's own funds to be used in support of the
13 person's candidacy shall be deposited in a candidate committee depository account established
14 pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made
15 through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing
16 in this chapter shall prevent a candidate from appointing himself or herself as a committee of one
17 and serving as the person's own treasurer, maintaining the candidate's own records and filing all
18 the reports and statements required to be filed by the treasurer of a candidate committee.

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

23 4. (1) Every committee shall have a single official fund depository within this state
24 which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan
25 association, or a federally or state-chartered credit union in which the committee shall open and
26 thereafter maintain at least one official depository account in its own name. An "official
27 depository account" shall be a checking account or some type of negotiable draft or negotiable
28 order of withdrawal account, and the official fund depository shall, regarding an official
29 depository account, be a type of financial institution which provides a record of deposits,
30 cancelled checks or other cancelled instruments of withdrawal evidencing each transaction by
31 maintaining copies within this state of such instruments and other transactions. All contributions
32 which the committee receives in money, checks and other negotiable instruments shall be
33 deposited in a committee's official depository account. Contributions shall not be accepted and
34 expenditures shall not be made by a committee except by or through an official depository
35 account and the committee treasurer, deputy treasurer or candidate. Contributions received by
36 a committee shall not be commingled with any funds of an agent of the committee, a candidate
37 or any other person, except that contributions from a candidate of the candidate's own funds to
38 the person's candidate committee shall be deposited to an official depository account of the
39 person's candidate committee. No expenditure shall be made by a committee when the office
40 of committee treasurer is vacant except that when the office of a candidate committee treasurer
41 is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

42 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
43 committee's official depository account and deposit such funds in one or more savings accounts
44 in the committee's name in any bank, savings and loan association or credit union within this
45 state, and may also withdraw funds from an official depository account for investment in the
46 committee's name in any certificate of deposit, bond or security. Proceeds from interest or
47 dividends from a savings account or other investment or proceeds from withdrawals from a

48 savings account or from the sale of an investment shall not be expended or reinvested, except
49 in the case of renewals of certificates of deposit, without first redepositing such proceeds in an
50 official depository account. Investments, other than savings accounts, held outside the
51 committee's official depository account at any time during a reporting period shall be disclosed
52 by description, amount, any identifying numbers and the name and address of any institution or
53 person in which or through which it is held in an attachment to disclosure reports the committee
54 is required to file. Proceeds from an investment such as interest or dividends or proceeds from
55 its sale, shall be reported by date and amount. In the case of the sale of an investment, the
56 names and addresses of the persons involved in the transaction shall also be stated. Funds held
57 in savings accounts and investments, including interest earned, shall be included in the report of
58 money on hand as required by section 130.041.

59 5. The treasurer or deputy treasurer acting on behalf of any person or organization or
60 group of persons which is a committee by virtue of the definitions of committee in section
61 130.011 and any candidate who is not excluded from forming a committee in accordance with
62 the provisions of section 130.016 shall file a statement of organization with the appropriate
63 officer within twenty days after the person or organization becomes a committee but no later than
64 the date for filing the first report required pursuant to the provisions of section 130.046. The
65 statement of organization shall contain the following information:

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

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

73 (3) The name, mailing address and telephone number of the committee treasurer, and the
74 name, mailing address and telephone number of its deputy treasurer if the committee has named
75 a deputy treasurer;

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

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

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

82 (7) Identification of the major nature of the committee such as a candidate committee,
83 campaign committee, [continuing] **political action** committee, political party committee,

84 incumbent committee, or any other committee according to the definition of committee in section
85 130.011;

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

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

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

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

98 7. A committee which has filed a statement of organization and has not terminated shall
99 not be required to file another statement of organization, except that when there is a change in
100 any of the information previously reported as required by subdivisions (1) to (8) of subsection
101 5 of this section an amended statement of organization shall be filed within twenty days after the
102 change occurs, but no later than the date of the filing of the next report required to be filed by
103 that committee by section 130.046.

104 8. Upon termination of a committee, a termination statement indicating dissolution shall
105 be filed not later than ten days after the date of dissolution with the appropriate officer or officers
106 with whom the committee's statement of organization was filed. The termination statement shall
107 include:

108 the distribution made of any remaining surplus funds and the disposition of any deficits; and the
109 name, mailing address and telephone number of the individual responsible for preserving the
110 committee's records and accounts as required in section 130.036.

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

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

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

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

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

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

130.026. 1. For the purpose of this section, the term "election authority" or "local
2 election authority" means the county clerk, except that in a city or county having a board of
3 election commissioners the board of election commissioners shall be the election authority. For
4 any political subdivision or other district which is situated within the jurisdiction of more than
5 one election authority, as defined herein, the election authority is the one in whose jurisdiction
6 the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most
7 populous portion of the political subdivision or district for which an election is held is situated,
8 except that a county clerk or a county board of election commissioners shall be the election
9 authority for all candidates for elective county offices other than county clerk and for any
10 countywide ballot measures.

11 2. The appropriate officer or officers for candidates and ballot measures shall be as
12 follows:

13 (1) In the case of candidates for the offices of governor, lieutenant governor, secretary
14 of state, state treasurer, state auditor, attorney general, judges of the supreme court and appellate
15 court judges, the appropriate officer shall be the Missouri ethics commission;

16 (2) Notwithstanding the provisions of subsection 1 of this section, in the case of
17 candidates for the offices of state senator, state representative, county clerk, and associate circuit
18 court judges and circuit court judges, the appropriate officers shall be the Missouri ethics
19 commission and the election authority for the place of residence of the candidate;

20 (3) In the case of candidates for elective municipal offices in municipalities of more than
21 one hundred thousand inhabitants and elective county offices in counties of more than one
22 hundred thousand inhabitants, the appropriate officers shall be the Missouri ethics commission
23 and the election authority of the municipality or county in which the candidate seeks office;

24 (4) In the case of all other offices, the appropriate officer shall be the election authority
25 of the district or political subdivision for which the candidate seeks office;

26 (5) In the case of ballot measures, the appropriate officer or officers shall be:

27 (a) The Missouri ethics commission for a statewide measure;

28 (b) The local election authority for any political subdivision or district as determined by
29 the provisions of subsection 1 of this section for any measure, other than a statewide measure,
30 to be voted on in that political subdivision or district.

31 3. The appropriate officer or officers for candidate committees and campaign committees
32 shall be the same as designated in subsection 2 of this section for the candidates or ballot
33 measures supported or opposed as indicated in the statement of organization required to be filed
34 by any such committee.

35 4. The appropriate officer for political party committees shall be as follows:

36 (1) In the case of state party committees, the appropriate officer shall be the Missouri
37 ethics commission;

38 (2) In the case of any district, county or city political party committee, the appropriate
39 officer shall be the Missouri ethics commission and the election authority for that district, county
40 or city.

41 5. The appropriate officers for a [continuing] **political action** committee and for any
42 other committee not named in subsections 3, 4 and 5 of this section shall be as follows:

43 (1) The Missouri ethics commission and the election authority for the county in which
44 the committee is domiciled; and

45 (2) If the committee makes or anticipates making expenditures other than direct
46 contributions which aggregate more than five hundred dollars to support or oppose one or more
47 candidates or ballot measures in the same political subdivision or district for which the
48 appropriate officer is an election authority other than the one for the county in which the
49 committee is domiciled, the appropriate officers for that committee shall include such other
50 election authority or authorities, except that committees covered by this subsection need not file
51 statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section
52 130.046 with any appropriate officer other than those set forth in subdivision (1) of this
53 subsection.

54 6. The term "domicile" or "domiciled" means the address of the committee listed on the
55 statement of organization required to be filed by that committee in accordance with the
56 provisions of section 130.021.

130.028. 1. Every person, labor organization, or corporation organized or existing by
2 virtue of the laws of this state, or doing business in this state who shall:

3 (1) Discriminate or threaten to discriminate against any member in this state with respect
4 to his membership, or discharge or discriminate or threaten to discriminate against any employee
5 in this state, with respect to his compensation, terms, conditions or privileges of employment by
6 reason of his political beliefs or opinions; or

7 (2) Coerce or attempt to coerce, intimidate or bribe any member or employee to vote or
8 refrain from voting for any candidate at any election in this state; or

9 (3) Coerce or attempt to coerce, intimidate or bribe any member or employee to vote or
10 refrain from voting for any issue at any election in this state; or

11 (4) Make any member or employee as a condition of membership or employment,
12 contribute to any candidate, political committee or separate political fund; or

13 (5) Discriminate or threaten to discriminate against any member or employee in this state
14 for contributing or refusing to contribute to any candidate, political committee or separate
15 political fund with respect to the privileges of membership or with respect to his employment
16 and the compensation, terms, conditions or privileges related thereto shall be guilty of a
17 misdemeanor, and upon conviction thereof be punished by a fine of not more than five thousand
18 dollars and confinement for not more than six months, or both, provided, after January 1, 1979,
19 the violation of this subsection shall be a class D felony.

20 2. No employer, corporation, [continuing] **political action** committee, or labor
21 organization shall receive or cause to be made contributions from its members or employees
22 except on the advance voluntary permission of the members or employees. Violation of this
23 section by the corporation, employer, [continuing] **political action** committee or labor
24 organization shall be a class A misdemeanor.

25 3. An employer shall, upon written request by ten or more employees, provide its
26 employees with the option of contributing to a [continuing] **political action** committee [as
27 defined in section 130.011] through payroll deduction, if the employer has a system of payroll
28 deduction. No contribution to a [continuing] **political action** committee from an employee
29 through payroll deduction shall be made other than to a [continuing] **political action** committee
30 voluntarily chosen by the employee. Violation of this section shall be a class A misdemeanor.

31 4. Any person aggrieved by any act prohibited by this section shall, in addition to any
32 other remedy provided by law, be entitled to maintain within one year from the date of the
33 prohibited act, a civil action in the courts of this state, and if successful, he shall be awarded civil
34 damages of not less than one hundred dollars and not more than one thousand dollars, together
35 with his costs, including reasonable attorney's fees. Each violation shall be a separate cause of
36 action.

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] **political**

3 **action** committee, a campaign committee, a political party committee, an exploratory committee
4 or a candidate 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.

130.036. 1. The candidate, treasurer or deputy treasurer of a committee shall maintain
2 accurate records and accounts on a current basis. The records and accounts shall be maintained
3 in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts,
4 deposit records, cancelled checks and other detailed information necessary to prepare and
5 substantiate any statement or report required to be filed pursuant to this chapter. Every person
6 who acts as an agent for a committee in receiving contributions, making expenditures or
7 incurring indebtedness for the committee shall, on request of that committee's treasurer, deputy
8 treasurer or candidate, but in any event within five days after any such action, render to the
9 candidate, committee treasurer or deputy treasurer a detailed account thereof, including names,
10 addresses, dates, exact amounts and any other details required by the candidate, treasurer or
11 deputy treasurer to comply with this chapter. Notwithstanding the provisions of subsection 4 of
12 section 130.021 prohibiting commingling of funds, an individual, trade or professional

13 association, business entity, or labor organization which acts as an agent for a committee in
14 receiving contributions may deposit contributions received on behalf of the committee to the
15 agent's account within a financial institution within this state, for purposes of facilitating
16 transmittal of the contributions to the candidate, committee treasurer or deputy treasurer. Such
17 contributions shall not be held in the agent's account for more than five days after the date the
18 contribution was received by the agent, and shall not be transferred to the account of any other
19 agent or person, other than the committee treasurer.

20 2. Unless a contribution is rejected by the candidate or committee and returned to the
21 donor or transmitted to the state treasurer within ten business days after its receipt, it shall be
22 considered received and accepted on the date received, notwithstanding the fact that it was not
23 deposited by the closing date of a reporting period.

24 3. Notwithstanding the provisions of section 130.041 that only contributors of more than
25 one hundred dollars shall be reported by name and address for all committees, the committee's
26 records shall contain a listing of each contribution received by the committee, including those
27 accepted and those which are rejected and either returned to the donor or transmitted to the state
28 treasurer. Each contribution, regardless of the amount, shall be recorded by date received, name
29 and address of the contributor and the amount of the contribution, except that any contributions
30 from unidentifiable persons which are received through fund-raising activities and events as
31 permitted in subsection 6 of section 130.031 shall be recorded to show the dates and amounts
32 of all such contributions received together with information contained in statements required by
33 subsection 6 of section 130.031. The procedure for recording contributions shall be of a type
34 which enables the candidate, committee treasurer or deputy treasurer to maintain a continuing
35 total of all contributions received from any one contributor.

36 4. Notwithstanding the provisions of section 130.041 that certain expenditures need not
37 be identified in reports by name and address of the payee, the committee's records shall include
38 a listing of each expenditure made and each contract, promise or agreement to make an
39 expenditure, showing the date and amount of each transaction, the name and address of the
40 person to whom the expenditure was made or promised, and the purpose of each expenditure
41 made or promised.

42 5. In the case of a committee which makes expenditures for both the support or
43 opposition of any candidate and the passage or defeat of a ballot measure, the committee
44 treasurer shall maintain records segregated according to each candidate or measure for which the
45 expenditures were made.

46 6. Records shall indicate which transactions, either contributions received or
47 expenditures made, were cash transactions or in-kind transactions.

48 7. Any candidate who, pursuant to section 130.016, is exempt from the requirements to
49 form a committee shall maintain records of each contribution received or expenditure made in
50 support of his candidacy. Any other person or combination of persons who, although not deemed
51 to be a committee according to the definition of the term "committee" in section 130.011, accepts
52 contributions or makes expenditures, other than direct contributions from the person's own funds,
53 for the purpose of supporting or opposing the election or defeat of any candidate or for the
54 purpose of supporting or opposing the qualifications, passage or defeat of any ballot measure
55 shall maintain records of each contribution received or expenditure made. The records shall
56 include name, address and amount pertaining to each contribution received or expenditure made
57 and any bills, receipts, cancelled checks or other documents relating to each transaction.

58 8. All records and accounts of receipts and expenditures shall be preserved for at least
59 three years after the date of the election to which the records pertain. Records and accounts
60 regarding supplemental disclosure reports or reports not required pursuant to an election shall
61 be preserved for at least three years after the date of the report to which the records pertain. Such
62 records shall be available for inspection by the [campaign finance review board] **Missouri ethics**
63 **commission** and its duly authorized representatives.

[130.041. 1. Except as provided in subsection 5 of section 130.016, the
2 candidate, if applicable, treasurer or deputy treasurer of every committee which
3 is required to file a statement of organization, shall file a legibly printed or typed
4 disclosure report of receipts and expenditures. The reports shall be filed with the
5 appropriate officer designated in section 130.026 at the times and for the periods
6 prescribed in section 130.046. Except as provided in sections 130.049 and
7 130.050, each report shall set forth:

8 (1) The full name, as required in the statement of organization pursuant
9 to subsection 5 of section 130.021, and mailing address of the committee filing
10 the report and the full name, mailing address and telephone number of the
11 committee's treasurer and deputy treasurer if the committee has named a deputy
12 treasurer;

13 (2) The amount of money, including cash on hand at the beginning of the
14 reporting period;

15 (3) Receipts for the period, including:

16 (a) Total amount of all monetary contributions received which can be
17 identified in the committee's records by name and address of each contributor.
18 In addition, the candidate committee shall make a reasonable effort to obtain and
19 report the employer, or occupation if self-employed or notation of retirement, of
20 each person from whom the committee received one or more contributions which
21 in the aggregate total in excess of one hundred dollars and shall make a
22 reasonable effort to obtain and report a description of any contractual relationship
23 over five hundred dollars between the contributor and the state if the candidate
24 is seeking election to a state office or between the contributor and any political

- 25 subdivision of the state if the candidate is seeking election to another political
26 subdivision of the state;
- 27 (b) Total amount of all anonymous contributions accepted;
- 28 (c) Total amount of all monetary contributions received through
29 fund-raising events or activities from participants whose names and addresses
30 were not obtained with such contributions, with an attached statement or copy of
31 the statement describing each fund-raising event as required in subsection 6 of
32 section 130.031;
- 33 (d) Total dollar value of all in-kind contributions received;
- 34 (e) A separate listing by name and address and employer, or occupation
35 if self-employed or notation of retirement, of each person from whom the
36 committee received contributions, in money or any other thing of value,
37 aggregating more than one hundred dollars, together with the date and amount of
38 each such contribution;
- 39 (f) A listing of each loan received by name and address of the lender and
40 date and amount of the loan. For each loan of more than one hundred dollars, a
41 separate statement shall be attached setting forth the name and address of the
42 lender and each person liable directly, indirectly or contingently, and the date,
43 amount and terms of the loan;
- 44 (4) Expenditures for the period, including:
- 45 (a) The total dollar amount of expenditures made by check drawn on the
46 committee's depository;
- 47 (b) The total dollar amount of expenditures made in cash;
- 48 (c) The total dollar value of all in-kind expenditures made;
- 49 (d) The full name and mailing address of each person to whom an
50 expenditure of money or any other thing of value in the amount of more than one
51 hundred dollars has been made, contracted for or incurred, together with the date,
52 amount and purpose of each expenditure. Expenditures of one hundred dollars
53 or less may be grouped and listed by categories of expenditure showing the total
54 dollar amount of expenditures in each category, except that the report shall
55 contain an itemized listing of each payment made to campaign workers by name,
56 address, date, amount and purpose of each payment and the aggregate amount
57 paid to each such worker;
- 58 (e) A list of each loan made, by name and mailing address of the person
59 receiving the loan, together with the amount, terms and date;
- 60 (5) The total amount of cash on hand as of the closing date of the
61 reporting period covered, including amounts in depository accounts and in petty
62 cash fund;
- 63 (6) The total amount of outstanding indebtedness as of the closing date
64 of the reporting period covered;
- 65 (7) The amount of expenditures for or against a candidate or ballot
66 measure during the period covered and the cumulative amount of expenditures
67 for or against that candidate or ballot measure, with each candidate being listed

68 by name, mailing address and office sought. For the purpose of disclosure
69 reports, expenditures made in support of more than one candidate or ballot
70 measure or both shall be apportioned reasonably among the candidates or ballot
71 measure or both. In apportioning expenditures to each candidate or ballot
72 measure, political party committees and political action committees need not
73 include expenditures for maintaining a permanent office, such as expenditures for
74 salaries of regular staff, office facilities and equipment or other expenditures not
75 designed to support or oppose any particular candidates or ballot measures;
76 however, all such expenditures shall be listed pursuant to subdivision (4) of this
77 subsection;

78 (8) A separate listing by full name and address of any committee
79 including a candidate committee controlled by the same candidate for which a
80 transfer of funds or a contribution in any amount has been made during the
81 reporting period, together with the date and amount of each such transfer or
82 contribution;

83 (9) A separate listing by full name and address of any committee,
84 including a candidate committee controlled by the same candidate from which a
85 transfer of funds or a contribution in any amount has been received during the
86 reporting period, together with the date and amount of each such transfer or
87 contribution;

88 (10) Each committee that receives a contribution which is restricted or
89 designated in whole or in part by the contributor for transfer to a particular
90 candidate, committee or other person shall include a statement of the name and
91 address of that contributor in the next disclosure report required to be filed after
92 receipt of such contribution, together with the date and amount of any such
93 contribution which was so restricted or designated by that contributor, together
94 with the name of the particular candidate or committee to whom such
95 contribution was so designated or restricted by that contributor and the date and
96 amount of such contribution.

97 2. For the purpose of this section and any other section in this chapter
98 except sections 130.049 and 130.050 which requires a listing of each contributor
99 who has contributed a specified amount, the aggregate amount shall be computed
100 by adding all contributions received from any one person during the following
101 periods:

102 (1) In the case of a candidate committee, the period shall begin on the
103 date on which the candidate became a candidate according to the definition of the
104 term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the
105 primary election, if the candidate has such an election or at 11:59 p.m. on the day
106 of the general election. If the candidate has a general election held after a
107 primary election, the next aggregating period shall begin at 12:00 midnight on the
108 day after the primary election day and shall close at 11:59 p.m. on the day of the
109 general election. Except that for contributions received during the thirty-day
110 period immediately following a primary election, the candidate shall designate

111 whether such contribution is received as a primary election contribution or a
112 general election contribution;

113 (2) In the case of a campaign committee, the period shall begin on the
114 date the committee received its first contribution and end on the closing date for
115 the period for which the report or statement is required;

116 (3) In the case of a political party committee or a political action
117 committee, the period shall begin on the first day of January of the year in which
118 the report or statement is being filed and end on the closing date for the period
119 for which the report or statement is required; except, if the report or statement is
120 required to be filed prior to the first day of July in any given year, the period shall
121 begin on the first day of July of the preceding year.

122 3. The disclosure report shall be signed and attested by the committee
123 treasurer or deputy treasurer and by the candidate in case of a candidate
124 committee.

125 4. The words "consulting or consulting services, fees, or expenses", or
126 similar words, shall not be used to describe the purpose of a payment as required
127 in this section. The reporting of any payment to such an independent contractor
128 shall be on a form supplied by the appropriate officer, established by the ethics
129 commission and shall include identification of the specific service or services
130 provided including, but not limited to, public opinion polling, research on issues
131 or opposition background, print or broadcast media production, print or broadcast
132 media purchase, computer programming or data entry, direct mail production,
133 postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount
134 prorated for each service.]

135

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if
2 applicable, treasurer or deputy treasurer of every committee which is required to file a statement
3 of organization, shall file a legibly printed or typed disclosure report of receipts and
4 expenditures. The reports shall be filed with the appropriate officer designated in section
5 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in
6 sections 130.049 and 130.050, each report shall set forth:

7 (1) The full name, as required in the statement of organization pursuant to subsection 5
8 of section 130.021, and mailing address of the committee filing the report and the full name,
9 mailing address and telephone number of the committee's treasurer and deputy treasurer if the
10 committee has named a deputy treasurer;

11 (2) The amount of money, including cash on hand at the beginning of the reporting
12 period;

13 (3) Receipts for the period, including:

14 (a) Total amount of all monetary contributions received which can be identified in the
15 committee's records by name and address of each contributor. In addition, the candidate

16 committee shall make a reasonable effort to obtain and report the employer, or occupation if
17 self-employed or notation of retirement, of each person from whom the committee received one
18 or more contributions which in the aggregate total in excess of one hundred dollars and shall
19 make a reasonable effort to obtain and report a description of any contractual relationship over
20 five hundred dollars between the contributor and the state if the candidate is seeking election to
21 a state office or between the contributor and any political subdivision of the state if the candidate
22 is seeking election to another political subdivision of the state;

23 (b) Total amount of all anonymous contributions accepted;

24 (c) Total amount of all monetary contributions received through fund-raising events or
25 activities from participants whose names and addresses were not obtained with such
26 contributions, with an attached statement or copy of the statement describing each fund-raising
27 event as required in subsection 6 of section 130.031;

28 (d) Total dollar value of all in-kind contributions received;

29 (e) A separate listing by name and address and employer, or occupation if self-employed
30 or notation of retirement, of each person from whom the committee received contributions, in
31 money or any other thing of value, aggregating more than one hundred dollars, together with the
32 date and amount of each such contribution **and in the case of contributions from a group of**
33 **individuals, corporation, partnership, committee, proprietorship, joint venture, any**
34 **department, agency, board, institution, or other entity of the state or any of its political**
35 **subdivisions, union, labor organization, trade or professional or business association,**
36 **association, political party or any executive committee thereof, or any other club or**
37 **organization however constituted or any officer or employee of such entity acting in the**
38 **person's official capacity, the responsible party for the contribution;**

39 (f) A listing of each loan received by name and address of the lender and date and
40 amount of the loan. For each loan of more than one hundred dollars, a separate statement shall
41 be attached setting forth the name and address of the lender and each person liable directly,
42 indirectly or contingently, and the date, amount and terms of the loan;

43 (4) Expenditures for the period, including:

44 (a) The total dollar amount of expenditures made by check drawn on the committee's
45 depository;

46 (b) The total dollar amount of expenditures made in cash;

47 (c) The total dollar value of all in-kind expenditures made;

48 (d) The full name and mailing address of each person to whom an expenditure of money
49 or any other thing of value in the amount of more than one hundred dollars has been made,
50 contracted for or incurred, together with the date, amount and purpose of each expenditure.
51 Expenditures of one hundred dollars or less may be grouped and listed by categories of

52 expenditure showing the total dollar amount of expenditures in each category, except that the
53 report shall contain an itemized listing of each payment made to campaign workers by name,
54 address, date, amount and purpose of each payment and the aggregate amount paid to each such
55 worker;

56 (e) A list of each loan made, by name and mailing address of the person receiving the
57 loan, together with the amount, terms and date;

58 (5) The total amount of cash on hand as of the closing date of the reporting period
59 covered, including amounts in depository accounts and in petty cash fund;

60 (6) The total amount of outstanding indebtedness as of the closing date of the reporting
61 period covered;

62 (7) The amount of expenditures for or against a candidate or ballot measure during the
63 period covered and the cumulative amount of expenditures for or against that candidate or ballot
64 measure, with each candidate being listed by name, mailing address and office sought. For the
65 purpose of disclosure reports, expenditures made in support of more than one candidate or ballot
66 measure or both shall be apportioned reasonably among the candidates or ballot measure or both.
67 In apportioning expenditures to each candidate or ballot measure, political party committees and
68 [continuing] **political action** committees need not include expenditures for maintaining a
69 permanent office, such as expenditures for salaries of regular staff, office facilities and
70 equipment or other expenditures not designed to support or oppose any particular candidates or
71 ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this
72 subsection;

73 (8) A separate listing by full name and address of any committee including a candidate
74 committee controlled by the same candidate for which a transfer of funds or a contribution in any
75 amount has been made during the reporting period, together with the date and amount of each
76 such transfer or contribution;

77 (9) A separate listing by full name and address of any committee, including a candidate
78 committee controlled by the same candidate from which a transfer of funds or a contribution in
79 any amount has been received during the reporting period, together with the date and amount of
80 each such transfer or contribution, **the responsible party for the contribution, the five largest**
81 **contributors to that committee in the previous filing period, and the aggregate amount**
82 **contributed to that committee by each such contributor in the current election cycle;**

83 (10) Each committee that receives a contribution which is restricted or designated in
84 whole or in part by the contributor for transfer to a particular candidate, committee or other
85 person shall include a statement of the name and address of that contributor in the next disclosure
86 report required to be filed after receipt of such contribution, together with the date and amount
87 of any such contribution which was so restricted or designated by that contributor, together with

88 the name of the particular candidate or committee to whom such contribution was so designated
89 or restricted by that contributor and the date and amount of such contribution.

90 2. For the purpose of this section and any other section in this chapter except sections
91 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified
92 amount, the aggregate amount shall be computed by adding all contributions received from any
93 one person during the following periods:

94 (1) In the case of a candidate committee, the period shall begin on the date on which the
95 candidate became a candidate according to the definition of the term "candidate" in section
96 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an
97 election or at 11:59 p.m. on the day of the general election. If the candidate has a general
98 election held after a primary election, the next aggregating period shall begin at 12:00 midnight
99 on the day after the primary election day and shall close at 11:59 p.m. on the day of the general
100 election. Except that for contributions received during the thirty-day period immediately
101 following a primary election, the candidate shall designate whether such contribution is received
102 as a primary election contribution or a general election contribution;

103 (2) In the case of a campaign committee, the period shall begin on the date the committee
104 received its first contribution and end on the closing date for the period for which the report or
105 statement is required;

106 (3) In the case of a political party committee or a [continuing] **political action**
107 committee, the period shall begin on the first day of January of the year in which the report or
108 statement is being filed and end on the closing date for the period for which the report or
109 statement is required; except, if the report or statement is required to be filed prior to the first day
110 of July in any given year, the period shall begin on the first day of July of the preceding year.

111 3. The disclosure report shall be signed and attested by the committee treasurer or deputy
112 treasurer and by the candidate in case of a candidate committee.

113 4. The words "consulting or consulting services, fees, or expenses", or similar words,
114 shall not be used to describe the purpose of a payment as required in this section. The reporting
115 of any payment to such an independent contractor shall be on a form supplied by the appropriate
116 officer, established by the ethics commission and shall include identification of the specific
117 service or services provided including, but not limited to, public opinion polling, research on
118 issues or opposition background, print or broadcast media production, print or broadcast media
119 purchase, computer programming or data entry, direct mail production, postage, rent, utilities,
120 phone solicitation, or fund raising, and the dollar amount prorated for each service.

130.044. 1. All individuals and committees required to file disclosure reports under
2 section 130.041 shall electronically report any contribution by any single contributor which

3 exceeds [five] **two** thousand dollars to the Missouri ethics commission within forty-eight hours
4 of receiving the contribution.

5 2. Any individual currently holding office as a state representative, state senator, or any
6 candidate for such office or such individual's campaign committee shall electronically report any
7 contribution exceeding five hundred dollars made by any contributor to his or her campaign
8 committee during the regular legislative session of the general assembly **or any time when**
9 **legislation from the regular legislative session awaits gubernatorial action**, within forty-eight
10 hours of receiving the contribution.

11 3. Any individual currently holding office as the governor, lieutenant governor, treasurer,
12 attorney general, secretary of state, or auditor, or any candidate for such office or such person's
13 campaign committee shall electronically report any contribution exceeding five hundred dollars
14 made by any contributor to his or her campaign committee during the regular legislative session
15 or any time when legislation from the regular legislative session awaits gubernatorial action,
16 within forty-eight hours of receiving the contribution.

17 4. Reports required under this section shall contain the same content required under
18 section 130.041 and shall be filed in accordance with the standards established by the
19 commission for electronic filing and other rules the commission may deem necessary to
20 promulgate for the effective administration of this section.

21 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
22 under the authority delegated in this section shall become effective only if it complies with and
23 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
24 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
25 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
26 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
27 proposed or adopted after August 28, 2008, shall be invalid and void.

2 [130.044. 1. All individuals and committees required to file disclosure
3 reports under section 130.041 shall electronically report any contribution by any
4 single contributor which exceeds five thousand dollars to the Missouri ethics
5 commission within forty-eight hours of receiving the contribution. Such reports
6 shall contain the same content required under section 130.041 and shall be filed
7 in accordance with the standards established by the commission for electronic
8 filing and other rules the commission may deem necessary to promulgate for the
9 effective administration of this section.

10 2. Any rule or portion of a rule, as that term is defined in section 536.010,
11 that is created under the authority delegated in this section shall become effective
12 only if it complies with and is subject to all of the provisions of chapter 536 and,
13 if applicable, section 536.028. This section and chapter 536 are nonseverable and
if any of the powers vested with the general assembly pursuant to chapter 536 to

14 review, to delay the effective date, or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking authority and
16 any rule proposed or adopted after August 28, 2008, shall be invalid and void.]
17

[130.046. 1. The disclosure reports required by section 130.041 for all
2 committees shall be filed at the following times and for the following periods:

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

6 (2) Not later than the thirtieth day after an election for a period closing
7 on the twenty-fifth day after the election, if the committee has made any
8 contribution or expenditure either in support of or opposition to any candidate or
9 ballot measure; except that, a successful candidate who takes office prior to the
10 twenty-fifth day after the election shall have complied with the report
11 requirement of this subdivision if a disclosure report is filed by such candidate
12 and any candidate committee under the candidate's control before such candidate
13 takes office, and such report shall be for the period closing on the day before
14 taking office; and

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

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

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

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

40 support or oppose the petition effort for qualification of the measure and shall
41 close on the fifth day prior to the date of the report;

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

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

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

76 (2) Not later than twenty-four hours after aggregate expenditures of two
77 hundred fifty dollars or more are made after the twelfth day before the election;
78 and

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

81 4. The reports required to be filed no later than the thirtieth day after an
82 election and any subsequently required report shall be cumulative so as to reflect

83 the total receipts and disbursements of the reporting committee for the entire
84 election campaign in question. The period covered by each disclosure report
85 shall begin on the day after the closing date of the most recent disclosure report
86 filed and end on the closing date for the period covered. If the committee has not
87 previously filed a disclosure report, the period covered begins on the date the
88 committee was formed; except that in the case of a candidate committee, the
89 period covered begins on the date the candidate became a candidate according to
90 the definition of the term candidate in section 130.011.

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

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

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

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

107 (2) No disclosure report needs to be filed for any reporting period if
108 during that reporting period the committee has neither received contributions
109 aggregating more than five hundred dollars nor made expenditure aggregating
110 more than five hundred dollars and has not received contributions aggregating
111 more than three hundred dollars from any single contributor and if the
112 committee's treasurer files a statement with the appropriate officer that the
113 committee has not exceeded the identified thresholds in the reporting period.
114 Any contributions received or expenditures made which are not reported because
115 this statement is filed in lieu of a disclosure report shall be included in the next
116 disclosure report filed by the committee. This statement shall not be filed in lieu
117 of the report for two or more consecutive disclosure periods if either the
118 contributions received or expenditures made in the aggregate during those
119 reporting periods exceed five hundred dollars. This statement shall not be filed,
120 in lieu of the report, later than the thirtieth day after an election if that report
121 would show a deficit of more than one thousand dollars.

122 6. (1) If the disclosure report required to be filed by a committee not
123 later than the thirtieth day after an election shows a deficit of unpaid loans and
124 other outstanding obligations in excess of five thousand dollars, semiannual
125 supplemental disclosure reports shall be filed with the appropriate officer for each

126 succeeding semiannual period until the deficit is reported in a disclosure report
127 as being reduced to five thousand dollars or less; except that, a supplemental
128 semiannual report shall not be required for any semiannual period which includes
129 the closing date for the reporting period covered in any regular disclosure report
130 which the committee is required to file in connection with an election. The
131 reporting dates and periods covered for semiannual reports shall be not later than
132 the fifteenth day of January and July for periods closing on the thirty-first day of
133 December and the thirtieth day of June.

134 (2) Committees required to file reports pursuant to subsection 2 or 3 of
135 this section which are not otherwise required to file disclosure reports for an
136 election shall file semiannual reports as required by this subsection if their last
137 required disclosure report shows a total of unpaid loans and other outstanding
138 obligations in excess of five thousand dollars.

139 7. In the case of a committee which disbands and is required to file a termination
140 statement pursuant to the provisions of section 130.021 with the appropriate officer not
141 later than the tenth day after the committee was dissolved, the candidate, committee
142 treasurer or deputy treasurer shall attach to the termination statement a complete
143 disclosure report for the period closing on the date of dissolution. A committee shall not
144 utilize the provisions of subsection 8 of section 130.021 or the provisions of this
145 subsection to circumvent or otherwise avoid the reporting requirements of subsection 6
146 or 7 of this section.

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

153 9. Each candidate for the office of state representative, state senator, and
154 for statewide elected office shall file all disclosure reports described in section
155 130.041 electronically with the Missouri ethics commission. The Missouri ethics
156 commission shall promulgate rules establishing the standard for electronic filings
157 with the commission and shall propose such rules for the importation of files to
158 the reporting program.

159 10. Any rule or portion of a rule, as that term is defined in section
160 536.010, that is created under the authority delegated in this section shall become
161 effective only if it complies with and is subject to all of the provisions of chapter
162 536 and, if applicable, section 536.028. This section and chapter 536 are
163 nonseverable and if any of the powers vested with the general assembly pursuant
164 to chapter 536 to review, to delay the effective date, or to disapprove and annul
165 a rule are subsequently held unconstitutional, then the grant of rulemaking
166 authority and any rule proposed or adopted after August 28, 2006, shall be invalid
167 and void.]

130.046. 1. The disclosure reports required by section 130.041 for all committees shall
2 be filed at the following times and for the following periods:

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

6 (2) Not later than the thirtieth day after an election for a period closing on the
7 twenty-fifth day after the election, if the committee has made any contribution or expenditure
8 either in support of or opposition to any candidate or ballot measure; except that, a successful
9 candidate who takes office prior to the twenty-fifth day after the election shall have complied
10 with the report requirement of this subdivision if a disclosure report is filed by such candidate
11 and any candidate committee under the candidate's control before such candidate takes office,
12 and such report shall be for the period closing on the day before taking office; and

13 (3) Not later than the fifteenth day following the close of each calendar quarter.
14 Notwithstanding the provisions of this subsection, if any committee accepts contributions or
15 makes expenditures in support of or in opposition to a ballot measure or a candidate, and the
16 report required by this subsection for the most recent calendar quarter is filed prior to the fortieth
17 day before the election on the measure or candidate, the committee shall file an additional
18 disclosure report not later than the fortieth day before the election for the period closing on the
19 forty-fifth day before the election.

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

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

35 (2) If the measure has qualified to be on the ballot in an election and if a committee
36 subject to the requirements of subdivision (1) of this subsection is also required to file a

37 preelection disclosure report for such election any time within thirty days after the date on which
38 disclosure reports are required to be filed in accordance with subdivision (1) of this subsection,
39 the treasurer of such committee shall not be required to file the report required by subdivision
40 (1) of this subsection, but shall include in the committee's preelection report all information
41 which would otherwise have been required by subdivision (1) of this subsection.

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

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

64 (2) Not later than twenty-four hours after aggregate expenditures of two hundred fifty
65 dollars or more are made after the twelfth day before the election; and

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

68 4. The reports required to be filed no later than the thirtieth day after an election and any
69 subsequently required report shall be cumulative so as to reflect the total receipts and
70 disbursements of the reporting committee for the entire election campaign in question. The
71 period covered by each disclosure report shall begin on the day after the closing date of the most
72 recent disclosure report filed and end on the closing date for the period covered. If the

73 committee has not previously filed a disclosure report, the period covered begins on the date the
74 committee was formed; except that in the case of a candidate committee, the period covered
75 begins on the date the candidate became a candidate according to the definition of the term
76 candidate in section 130.011.

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

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

81 (a) If there are less than fifty days between a primary election and the immediately
82 succeeding general election, the disclosure report required to be filed quarterly **need not be filed**;
83 provided that, any other report required to be filed prior to the primary election and all other
84 reports required to be filed not later than the eighth day before the general election are filed no
85 later than the final dates for filing such reports;

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

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

104 6. (1) If the disclosure report required to be filed by a committee not later than the
105 thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations
106 in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with
107 the appropriate officer for each succeeding semiannual period until the deficit is reported in a
108 disclosure report as being reduced to five thousand dollars or less; except that, a supplemental

109 semiannual report shall not be required for any semiannual period which includes the closing
110 date for the reporting period covered in any regular disclosure report which the committee is
111 required to file in connection with an election. The reporting dates and periods covered for
112 semiannual reports shall be not later than the fifteenth day of January and July for periods closing
113 on the thirty-first day of December and the thirtieth day of June.

114 (2) Committees required to file reports pursuant to subsection 2 or 3 of this section
115 which are not otherwise required to file disclosure reports for an election shall file semiannual
116 reports as required by this subsection if their last required disclosure report shows a total of
117 unpaid loans and other outstanding obligations in excess of five thousand dollars.

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

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

130 9. Each candidate for the office of state representative, state senator, and for statewide
131 elected office shall file all disclosure reports described in section 130.041 electronically with the
132 Missouri ethics commission. The Missouri ethics commission shall promulgate rules
133 establishing the standard for electronic filings with the commission and shall propose such rules
134 for the importation of files to the reporting program.

135 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
136 created under the authority delegated in this section shall become effective only if it complies
137 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
138 This section and chapter 536 are nonseverable and if any of the powers vested with the general
139 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
140 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
141 any rule proposed or adopted after August 28, 2006, shall be invalid and void.

2 [130.057. 1. In order for candidates for election and public officials to
3 more easily file reports required by law and to access information contained in
4 such reports, and for the Missouri ethics commission to receive and store reports
in an efficient and economical method, and for the general public and news

5 media to access information contained in such reports, the commission shall
6 establish and maintain an electronic reporting system pursuant to this section.

7 2. The ethics commission may establish for elections in 1996 and shall
8 establish for elections and all required reporting beginning in 1998 and maintain
9 thereafter a state campaign finance and financial interest disclosure electronic
10 reporting system pursuant to this section for all candidates required to file. The
11 system may be used for the collection, filing and dissemination of all reports,
12 including monthly lobbying reports filed by law, and all reports filed with the
13 commission pursuant to this chapter and chapter 105. The system may be
14 established and used for all reports required to be filed for the primary and
15 general elections in 1996 and all elections thereafter, except that the system may
16 require maintenance of a paper backup system for the primary and general
17 elections in 1996. The reports shall be maintained and secured in the electronic
18 format by the commission.

19 3. When the commission determines that the electronic reporting system
20 has been properly implemented, the commission shall certify to all candidates and
21 committees required to file pursuant to this chapter that such electronic reporting
22 system has been established and implemented. Beginning with the primary and
23 general elections in 2000, or the next primary or general election in which the
24 commission has made certification pursuant to this subsection, whichever is later,
25 candidates and all other committees shall file reports by using either the
26 electronic format prescribed by the commission or paper forms provided by the
27 commission for that purpose. Political action committees shall file reports by
28 electronic format prescribed by the commission, except political action
29 committees which make contributions equal to or less than fifteen thousand
30 dollars in the applicable calendar year. Any political action committee which
31 makes contributions in support of or opposition to any measure or candidate
32 equal to or less than fifteen thousand dollars in the applicable calendar year shall
33 file reports on paper forms provided by the commission for that purpose or by
34 electronic format prescribed by the commission, whichever reporting method the
35 political action committee chooses. The commission shall supply a computer
36 program which shall be used for filing by modem or by a common magnetic
37 media chosen by the commission. In the event that filings are performed
38 electronically, the candidate shall file a signed original written copy within five
39 working days; except that, if a means becomes available which will allow a
40 verifiable electronic signature, the commission may also accept this in lieu of a
41 written statement.

42 4. Beginning January 1, 2000, or on the date the commission makes the
43 certification pursuant to subsection 3 of this section, whichever is later, all reports
44 filed with the commission by any candidate for a statewide office, or such
45 candidate's committee, shall be filed in electronic format as prescribed by the
46 commission; provided however, that if a candidate for statewide office, or such
47 candidate's committee receives or spends five thousand dollars or less for any

48 reporting period, the report for that reporting period shall not be required to be
49 filed electronically.

50 5. A copy of all reports filed in the state campaign finance electronic
51 reporting system shall be placed on a public electronic access system so that the
52 general public may have open access to the reports filed pursuant to this section.
53 The access system shall be organized and maintained in such a manner to allow
54 an individual to obtain information concerning all contributions made to or on
55 behalf of, and all expenditures made on behalf of, any public official described
56 in subsection 2 of this section in formats that will include both written and
57 electronically readable formats.

58 6. All records that are in electronic format, not otherwise closed by law,
59 shall be available in electronic format to the public. The commission shall
60 maintain and provide for public inspection, a listing of all reports with a complete
61 description for each field contained on the report, that has been used to extract
62 information from their database files. The commission shall develop a report or
63 reports which contain every field in each database.

64 7. Annually, the commission shall provide, without cost, a system-wide
65 dump of information contained in the commission's electronic database files to
66 the general assembly. The information is to be copied onto a medium specified
67 by the general assembly. Such information shall not contain records otherwise
68 closed by law. It is the intent of the general assembly to provide open access to
69 the commission's records. The commission shall make every reasonable effort
70 to comply with requests for information and shall take a liberal interpretation
71 when considering such requests.]
72

130.057. 1. In order for candidates for election and public officials to more easily file
2 reports required by law and to access information contained in such reports, and for the Missouri
3 ethics commission to receive and store reports in an efficient and economical method, and for
4 the general public and news media to access information contained in such reports, the
5 commission shall establish and maintain an electronic reporting system pursuant to this section.

6 2. The ethics commission may establish for elections in 1996 and shall establish for
7 elections and all required reporting beginning in 1998 and maintain thereafter a state campaign
8 finance and financial interest disclosure electronic reporting system pursuant to this section for
9 all candidates required to file. The system may be used for the collection, filing and
10 dissemination of all reports, including monthly lobbying reports filed by law, and all reports filed
11 with the commission pursuant to this chapter and chapter 105. The system [may] **shall** be
12 [established and] used for all reports required to be filed for [the primary and general elections
13 in 1996 and] all elections [thereafter, except that the system may require maintenance of a paper
14 backup system for the primary and general elections in 1996]. The reports shall be maintained
15 and secured in the electronic format by the commission.

16 3. [When the commission determines that the electronic reporting system has been
17 properly implemented, the commission shall certify to all candidates and committees required
18 to file pursuant to this chapter that such electronic reporting system has been established and
19 implemented. Beginning with the primary and general elections in 2000, or the next primary or
20 general election in which the commission has made certification pursuant to this subsection,
21 whichever is later,] Candidates and all other committees shall file reports by using [either] the
22 electronic format prescribed by the commission [or paper forms provided by the commission for
23 that purpose]. [Continuing committees shall file reports by electronic format prescribed by the
24 commission, except continuing committees which make contributions equal to or less than
25 fifteen thousand dollars in the applicable calendar year. Any continuing committee which makes
26 contributions in support of or opposition to any measure or candidate equal to or less than fifteen
27 thousand dollars in the applicable calendar year shall file reports on paper forms provided by the
28 commission for that purpose or by electronic format prescribed by the commission, whichever
29 reporting method the continuing committee chooses.] The commission shall supply a computer
30 program which shall be used for filing by modem or by a common magnetic media chosen by
31 the commission. In the event that filings are performed electronically, the candidate shall file
32 a signed original written copy within five working days; except that, if a means becomes
33 available which will allow a verifiable electronic signature, the commission may also accept this
34 in lieu of a written statement.

35 4. [Beginning January 1, 2000, or on the date the commission makes the certification
36 pursuant to subsection 3 of this section, whichever is later,] All reports filed with the commission
37 by any candidate for a statewide office, or such candidate's committee, shall be filed in electronic
38 format as prescribed by the commission[; provided however, that if a candidate for statewide
39 office, or such candidate's committee receives or spends five thousand dollars or less for any
40 reporting period, the report for that reporting period shall not be required to be filed
41 electronically].

42 [5.] A copy of all reports filed in the state campaign finance electronic reporting system
43 shall be placed on a public electronic access system so that the general public may have open
44 access to the reports filed pursuant to this section. The access system shall be organized and
45 maintained in such a manner to allow an individual to obtain information concerning all
46 contributions made to or on behalf of, and all expenditures made on behalf of, any public official
47 described in subsection 2 of this section in formats that will include both written and
48 electronically readable formats.

49 [6.] **5.** All records that are in electronic format, not otherwise closed by law, shall be
50 available in electronic format to the public. The commission shall maintain and provide for
51 public inspection, a listing of all reports with a complete description for each field contained on

52 the report, that has been used to extract information from their database files. The commission
 53 shall develop a report or reports which contain every field in each database.

54 [7.] 6. Annually, the commission shall provide, without cost, a system-wide dump of
 55 information contained in the commission's electronic database files to the general assembly. The
 56 information is to be copied onto a medium specified by the general assembly. Such information
 57 shall not contain records otherwise closed by law. It is the intent of the general assembly to
 58 provide open access to the commission's records. The commission shall make every reasonable
 59 effort to comply with requests for information and shall take a liberal interpretation when
 60 considering such requests.

[226.033. Any commissioner appointed or reappointed after March 1,
 2 2004, shall not:

3 (1) Host or manage a political fund-raiser or solicit funds for any
 4 candidate who is seeking a statewide or nationally elected office;

5 (2) Serve on the board or chair any political action committee, or political
 6 party committee.]

7
 226.033. Any commissioner appointed or reappointed after March 1, 2004, shall not:

2 (1) Host or manage a political fund-raiser or solicit funds for any candidate who is
 3 seeking a statewide or nationally elected office;

4 (2) Serve on the board or chair any political action committee[,] or political party
 5 committee[, or continuing committee].

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