

HOUSE

AMENDMENT NO. ___

Offered by

of

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for
2 Senate Bill No. 11, Page 1, In the Title, Line 2, by deleting
3 "and 105.470" and inserting in lieu thereof the following: ",
4 105.470, and 130.011"; and
5

6 Further amend said bill, Page 1, In the Title, Line 3, by
7 deleting the word "section," and inserting in lieu thereof the
8 following: "sections 105.473 and 130.011"; and
9

10 Further amend said bill, Page 1, Section A, Line 1, by
11 deleting "and 105.470" and inserting in lieu thereof the
12 following: ", 105.470, and 130.011"; and
13

14 Further amend said bill, Page 1, Section A, Line 3, by
15 deleting the word "section," and inserting in lieu thereof the
16 following: "and sections 105.473 and 130.011"; and
17

18 Further amend said bill, Page 19, Section 105.499, Line 41,
19 by inserting after all of said line the following:

20 "[130.011. As used in this chapter, unless the
21 context clearly indicates otherwise, the following
22 terms mean:

23 (1) "Appropriate officer" or "appropriate
24 officers", the person or persons designated in section
25 130.026 to receive certain required statements and
26 reports;

27 (2) "Ballot measure" or "measure", any proposal
28 submitted or intended to be submitted to qualified
29 voters for their approval or rejection, including any

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1 proposal submitted by initiative petition, referendum
2 petition, or by the general assembly or any local
3 governmental body having authority to refer proposals
4 to the voter;

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

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

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

40 (b) Knows or has reason to know that
41 contributions are being received or expenditures are
42 being made or space or facilities are being reserved
43 with the intent to promote the person's candidacy for
44 office; except that, such individual shall not be
45 deemed a candidate if the person files a statement with
46 the appropriate officer within five days after learning
47 of the receipt of contributions, the making of
48 expenditures, or the reservation of space or facilities

1 disavowing the candidacy and stating that the person
2 will not accept nomination or take office if elected;
3 provided that, if the election at which such individual
4 is supported as a candidate is to take place within
5 five days after the person's learning of the
6 above-specified activities, the individual shall file
7 the statement disavowing the candidacy within one day;
8 or

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

11 (5) "Candidate committee", a committee which
12 shall be formed by a candidate to receive contributions
13 or make expenditures in behalf of the person's
14 candidacy and which shall continue in existence for use
15 by an elected candidate or which shall terminate the
16 later of either thirty days after the general election
17 for a candidate who was not elected or upon the
18 satisfaction of all committee debt after the election,
19 except that no committee retiring debt shall engage in
20 any other activities in support of the candidate for
21 which the committee was formed. Any candidate for
22 elective office shall have only one candidate committee
23 for the elective office sought, which is controlled
24 directly by the candidate for the purpose of making
25 expenditures. A candidate committee is presumed to be
26 under the control and direction of the candidate unless
27 the candidate files an affidavit with the appropriate
28 officer stating that the committee is acting without
29 control or direction on the candidate's part;

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

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

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

40 (9) "Committee", a person or any combination of
41 persons, who accepts contributions or makes
42 expenditures for the primary or incidental purpose of
43 influencing or attempting to influence the action of
44 voters for or against the nomination or election to
45 public office of one or more candidates or the
46 qualification, passage or defeat of any ballot measure
47 or for the purpose of paying a previously incurred
48 campaign debt or obligation of a candidate or the debts

1 or obligations of a committee or for the purpose of
2 contributing funds to another committee:

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

4 a. A person or combination of persons, if neither
5 the aggregate of expenditures made nor the aggregate of
6 contributions received during a calendar year exceeds
7 five hundred dollars and if no single contributor has
8 contributed more than two hundred fifty dollars of such
9 aggregate contributions;

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

13 c. A corporation, cooperative association,
14 partnership, proprietorship, or joint venture organized
15 or operated for a primary or principal purpose other
16 than that of influencing or attempting to influence the
17 action of voters for or against the nomination or
18 election to public office of one or more candidates or
19 the qualification, passage or defeat of any ballot
20 measure, and it accepts no contributions, and all
21 expenditures it makes are from its own funds or
22 property obtained in the usual course of business or in
23 any commercial or other transaction and which are not
24 contributions as defined by subdivision (11) of this
25 section;

26 d. A labor organization organized or operated for
27 a primary or principal purpose other than that of
28 influencing or attempting to influence the action of
29 voters for or against the nomination or election to
30 public office of one or more candidates, or the
31 qualification, passage, or defeat of any ballot
32 measure, and it accepts no contributions, and
33 expenditures made by the organization are from its own
34 funds or property received from membership dues or
35 membership fees which were given or solicited for the
36 purpose of supporting the normal and usual activities
37 and functions of the organization and which are not
38 contributions as defined by subdivision (11) of this
39 section;

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

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

5 (b) The term "committee" includes, but is not
6 limited to, each of the following committees: campaign
7 committee, candidate committee, political action
8 committee, exploratory committee, and political party
9 committee;

10 (10) "Connected organization", any organization
11 such as a corporation, a labor organization, a
12 membership organization, a cooperative, or trade or
13 professional association which expends funds or
14 provides services or facilities to establish,
15 administer or maintain a committee or to solicit
16 contributions to a committee from its members,
17 officers, directors, employees or security holders. An
18 organization shall be deemed to be the connected
19 organization if more than fifty percent of the persons
20 making contributions to the committee during the
21 current calendar year are members, officers, directors,
22 employees or security holders of such organization or
23 their spouses;

24 (11) "Contribution", a payment, gift, loan,
25 advance, deposit, or donation of money or anything of
26 value for the purpose of supporting or opposing the
27 nomination or election of any candidate for public
28 office or the qualification, passage or defeat of any
29 ballot measure, or for the support of any committee
30 supporting or opposing candidates or ballot measures or
31 for paying debts or obligations of any candidate or
32 committee previously incurred for the above purposes.
33 A contribution of anything of value shall be deemed to
34 have a money value equivalent to the fair market value.
35 "Contribution" includes, but is not limited to:

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

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

43 (c) Receipts from the sale of goods and services,
44 including the sale of advertising space in a brochure,
45 booklet, program or pamphlet of a candidate or
46 committee and the sale of tickets or political
47 merchandise;

48 (d) Receipts from fund-raising events including

1 testimonial affairs;

2 (e) Any loan, guarantee of a loan, cancellation
3 or forgiveness of a loan or debt or other obligation by
4 a third party, or payment of a loan or debt or other
5 obligation by a third party if the loan or debt or
6 other obligation was contracted, used, or intended, in
7 whole or in part, for use in an election campaign or
8 used or intended for the payment of such debts or
9 obligations of a candidate or committee previously
10 incurred, or which was made or received by a committee;

11 (f) Funds received by a committee which are
12 transferred to such committee from another committee or
13 other source, except funds received by a candidate
14 committee as a transfer of funds from another candidate
15 committee controlled by the same candidate but such
16 transfer shall be included in the disclosure reports;

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

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

30 (i) "Contribution" does not include:

31 a. Ordinary home hospitality or services provided
32 without compensation by individuals volunteering their
33 time in support of or in opposition to a candidate,
34 committee or ballot measure, nor the necessary and
35 ordinary personal expenses of such volunteers
36 incidental to the performance of voluntary activities,
37 so long as no compensation is directly or indirectly
38 asked or given;

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

43 c. Interest earned on deposit of committee funds;

44 d. The costs incurred by any connected
45 organization listed pursuant to subdivision (4) of
46 subsection 5 of section 130.021 for establishing,
47 administering or maintaining a committee, or for the
48 solicitation of contributions to a committee which

1 solicitation is solely directed or related to the
2 members, officers, directors, employees or security
3 holders of the connected organization;

4 (12) "County", any one of the several counties of
5 this state or the city of St. Louis;

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

11 (14) "Election", any primary, general or special
12 election held to nominate or elect an individual to
13 public office, to retain or recall an elected
14 officeholder or to submit a ballot measure to the
15 voters, and any caucus or other meeting of a political
16 party or a political party committee at which that
17 party's candidate or candidates for public office are
18 officially selected. A primary election and the
19 succeeding general election shall be considered
20 separate elections;

21 (15) "Expenditure", a payment, advance,
22 conveyance, deposit, donation or contribution of money
23 or anything of value for the purpose of supporting or
24 opposing the nomination or election of any candidate
25 for public office or the qualification or passage of
26 any ballot measure or for the support of any committee
27 which in turn supports or opposes any candidate or
28 ballot measure or for the purpose of paying a
29 previously incurred campaign debt or obligation of a
30 candidate or the debts or obligations of a committee; a
31 payment, or an agreement or promise to pay, money or
32 anything of value, including a candidate's own money or
33 property, for the purchase of goods, services,
34 property, facilities or anything of value for the
35 purpose of supporting or opposing the nomination or
36 election of any candidate for public office or the
37 qualification or passage of any ballot measure or for
38 the support of any committee which in turn supports or
39 opposes any candidate or ballot measure or for the
40 purpose of paying a previously incurred campaign debt
41 or obligation of a candidate or the debts or
42 obligations of a committee. An expenditure of anything
43 of value shall be deemed to have a money value
44 equivalent to the fair market value. "Expenditure"
45 includes, but is not limited to:

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

48 (b) The purchase of tickets, goods, services or

1 political merchandise in connection with any
2 testimonial affair or fund-raising event of or for
3 candidates or committees, or the purchase of
4 advertising in a brochure, booklet, program or pamphlet
5 of a candidate or committee;

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

8 (d) The direct or indirect payment by any person,
9 other than a connected organization for a committee, of
10 the costs of establishing, administering or maintaining
11 a committee, including legal, accounting and computer
12 services, fund raising and solicitation of
13 contributions for a committee; but

14 (e) "Expenditure" does not include:

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

20 b. The internal dissemination by any membership
21 organization, proprietorship, labor organization,
22 corporation, association or other entity of information
23 advocating the election or defeat of a candidate or
24 candidates or the passage or defeat of a ballot measure
25 or measures to its directors, officers, members,
26 employees or security holders, provided that the cost
27 incurred is reported pursuant to subsection 2 of
28 section 130.051;

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

31 d. The rendering of voluntary personal services
32 by an individual of the sort commonly performed by
33 volunteer campaign workers and the payment by such
34 individual of the individual's necessary and ordinary
35 personal expenses incidental to such volunteer
36 activity, provided no compensation is, directly or
37 indirectly, asked or given;

38 e. The costs incurred by any connected
39 organization listed pursuant to subdivision (4) of
40 subsection 5 of section 130.021 for establishing,
41 administering or maintaining a committee, or for the
42 solicitation of contributions to a committee which
43 solicitation is solely directed or related to the
44 members, officers, directors, employees or security
45 holders of the connected organization;

46 f. The use of a candidate's own money or property
47 for expense of the candidate's personal food, lodging,
48 travel, and payment of any fee necessary to the filing

1 for public office, if such expense is not reimbursed to
2 the candidate from any source;

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

10 (17) "Fund-raising event", an event such as a
11 dinner, luncheon, reception, coffee, testimonial,
12 rally, auction or similar affair through which
13 contributions are solicited or received by such means
14 as the purchase of tickets, payment of attendance fees,
15 donations for prizes or through the purchase of goods,
16 services or political merchandise;

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

20 (19) "Labor organization", any organization of
21 any kind, or any agency or employee representation
22 committee or plan, in which employees participate and
23 which exists for the purpose, in whole or in part, of
24 dealing with employers concerning grievances, labor
25 disputes, wages, rates of pay, hours of employment, or
26 conditions of work;

27 (20) "Loan", a transfer of money, property or
28 anything of ascertainable monetary value in exchange
29 for an obligation, conditional or not, to repay in
30 whole or in part and which was contracted, used, or
31 intended for use in an election campaign, or which was
32 made or received by a committee or which was
33 contracted, used, or intended to pay previously
34 incurred campaign debts or obligations of a candidate
35 or the debts or obligations of a committee;

36 (21) "Person", an individual, group of
37 individuals, corporation, partnership, committee,
38 proprietorship, joint venture, any department, agency,
39 board, institution or other entity of the state or any
40 of its political subdivisions, union, labor
41 organization, trade or professional or business
42 association, association, political party or any
43 executive committee thereof, or any other club or
44 organization however constituted or any officer or
45 employee of such entity acting in the person's official
46 capacity;

47 (22) "Political action committee", a committee of
48 continuing existence which is not formed, controlled or

1 directed by a candidate, and is a committee other than
2 a candidate committee, political party committee,
3 campaign committee, exploratory committee, or debt
4 service committee, whose primary or incidental purpose
5 is to receive contributions or make expenditures to
6 influence or attempt to influence the action of voters
7 whether or not a particular candidate or candidates or
8 a particular ballot measure or measures to be supported
9 or opposed has been determined at the time the
10 committee is required to file any statement or report
11 pursuant to the provisions of this chapter. Such a
12 committee includes, but is not limited to, any
13 committee organized or sponsored by a business entity,
14 a labor organization, a professional association, a
15 trade or business association, a club or other
16 organization and whose primary purpose is to solicit,
17 accept and use contributions from the members,
18 employees or stockholders of such entity and any
19 individual or group of individuals who accept and use
20 contributions to influence or attempt to influence the
21 action of voters. Such committee shall be formed no
22 later than sixty days prior to the election for which
23 the committee receives contributions or makes
24 expenditures;

25 (23) "Political merchandise", goods such as
26 bumper stickers, pins, hats, ties, jewelry, literature,
27 or other items sold or distributed at a fund-raising
28 event or to the general public for publicity or for the
29 purpose of raising funds to be used in supporting or
30 opposing a candidate for nomination or election or in
31 supporting or opposing the qualification, passage or
32 defeat of a ballot measure;

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

36 (25) "Political party committee", a committee of
37 a political party which may be organized as a
38 not-for-profit corporation under Missouri law and has
39 the primary or incidental purpose of receiving
40 contributions and making expenditures to influence or
41 attempt to influence the action of voters on behalf of
42 the political party. Political party committees shall
43 only take the following forms:

44 (a) One congressional district committee per
45 political party for each congressional district in the
46 state; and

47 (b) One state party committee per political
48 party;

1 (26) "Public office" or "office", any state,
2 judicial, county, municipal, school or other district,
3 ward, township, or other political subdivision office
4 or any political party office which is filled by a vote
5 of registered voters;

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

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

14 130.011. As used in this chapter, unless the context
15 clearly indicates otherwise, the following terms mean:

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

19 (2) "Ballot measure" or "measure", any proposal submitted
20 or intended to be submitted to qualified voters for their
21 approval or rejection, including any proposal submitted by
22 initiative petition, referendum petition, or by the general
23 assembly or any local governmental body having authority to refer
24 proposals to the voter;

25 (3) "Candidate", an individual who seeks nomination or
26 election to public office. The term "candidate" includes an
27 elected officeholder who is the subject of a recall election, an
28 individual who seeks nomination by the individual's political
29 party for election to public office, an individual standing for
30 retention in an election to an office to which the individual was
31 previously appointed, an individual who seeks nomination or
32 election whether or not the specific elective public office to be

1 sought has been finally determined by such individual at the time
2 the individual meets the conditions described in paragraph (a) or
3 (b) of this subdivision, and an individual who is a write-in
4 candidate as defined in [subdivision (28) of] this section. A
5 candidate shall be deemed to seek nomination or election when the
6 person first:

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

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

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

26 (4) "Cash", currency, coin, United States postage stamps,
27 or any negotiable instrument which can be transferred from one

1 person to another person without the signature or endorsement of
2 the transferor;

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

6 (6) "Closing date", the date through which a statement or
7 report is required to be complete;

8 (7) "Committee", a person or any combination of persons,
9 who accepts contributions or makes expenditures for the primary
10 or incidental purpose of influencing or attempting to influence
11 the action of voters for or against the nomination or election to
12 public office of one or more candidates or the qualification,
13 passage or defeat of any ballot measure or for the purpose of
14 paying a previously incurred campaign debt or obligation of a
15 candidate or the debts or obligations of a committee or for the
16 purpose of contributing funds to another committee. The term
17 "committee" shall also include organizations exempt from taxation
18 under 26 U.S.C. Section 501(c)(4), as amended, that accept
19 contributions and make expenditures as described in this
20 subdivision, and the annual aggregate amount of such expenditures
21 consists of more than ten percent of the organization's assets:

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

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

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

4 c. A corporation, cooperative association, partnership,
5 proprietorship, or joint venture organized or operated for a
6 primary or principal purpose other than that of influencing or
7 attempting to influence the action of voters for or against the
8 nomination or election to public office of one or more candidates
9 or the qualification, passage or defeat of any ballot measure,
10 and it accepts no contributions, and all expenditures it makes
11 are from its own funds or property obtained in the usual course
12 of business or in any commercial or other transaction and which
13 are not contributions as defined by [subdivision (12) of] this
14 section;

15 d. A labor organization organized or operated for a primary
16 or principal purpose other than that of influencing or attempting
17 to influence the action of voters for or against the nomination
18 or election to public office of one or more candidates, or the
19 qualification, passage, or defeat of any ballot measure, and it
20 accepts no contributions, and expenditures made by the
21 organization are from its own funds or property received from
22 membership dues or membership fees which were given or solicited
23 for the purpose of supporting the normal and usual activities and
24 functions of the organization and which are not contributions as
25 defined by [subdivision (12) of] this section;

26 e. A person who acts as an authorized agent for a committee
27 in soliciting or receiving contributions or in making

1 expenditures or incurring indebtedness on behalf of the committee
2 if such person renders to the committee treasurer or deputy
3 treasurer or candidate, if applicable, an accurate account of
4 each receipt or other transaction in the detail required by the
5 treasurer to comply with all record-keeping and reporting
6 requirements of this chapter;

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

10 (b) The term "committee" includes, but is not limited to,
11 each of the following committees: campaign committee, candidate
12 committee, [continuing] political action committee, exploratory
13 committee, and political party committee;

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

1 (9) "Candidate committee", a committee which shall be
2 formed by a candidate to receive contributions or make
3 expenditures [in] on behalf of the person's candidacy and which
4 shall continue in existence for use by an elected candidate or
5 which shall terminate the later of either thirty days after the
6 general election for a candidate who was not elected or upon the
7 satisfaction of all committee debt after the election, except
8 that no committee retiring debt shall engage in any other
9 activities in support of the candidate for which the committee
10 was formed. Any candidate for elective office shall have only
11 one candidate committee for the elective office sought, which is
12 controlled directly by the candidate for the purpose of making
13 expenditures. A candidate committee is presumed to be under the
14 control and direction of the candidate unless the candidate files
15 an affidavit with the appropriate officer stating that the
16 committee is acting without control or direction on the
17 candidate's part;

18 (10) "[Continuing] Political action committee", a committee
19 of continuing existence [which is not formed, controlled or
20 directed by a candidate, and is a committee] other than a
21 candidate committee [or], political party committee, campaign
22 committee, exploratory committee, or debt service committee,
23 whose primary or incidental purpose is to receive contributions
24 or make expenditures to influence or attempt to influence the
25 action of voters whether or not a particular candidate or
26 candidates or a particular ballot measure or measures to be
27 supported or opposed has been determined at the time the

1 committee is required to file any statement or report pursuant to
2 the provisions of this chapter. ["Continuing committee"] Such a
3 committee includes, but is not limited to, any committee
4 organized or sponsored by a business entity, a labor
5 organization, a professional association, a trade or business
6 association, a club or other organization and whose primary
7 purpose is to solicit, accept and use contributions from the
8 members, employees or stockholders of such entity and any
9 individual or group of individuals who accept and use
10 contributions to influence or attempt to influence the action of
11 voters. Such committee shall be formed no later than sixty days
12 prior to the election for which the committee receives
13 contributions or makes expenditures;

14 (11) "Connected organization", any organization such as a
15 corporation, a labor organization, a membership organization, a
16 cooperative, or trade or professional association which expends
17 funds or provides services or facilities to establish, administer
18 or maintain a committee or to solicit contributions to a
19 committee from its members, officers, directors, employees or
20 security holders. An organization shall be deemed to be the
21 connected organization if more than fifty percent of the persons
22 making contributions to the committee during the current calendar
23 year are members, officers, directors, employees or security
24 holders of such organization or their spouses;

25 (12) "Contribution", a payment, gift, loan, advance,
26 deposit, or donation of money or anything of value for the
27 purpose of supporting or opposing the nomination or election of

1 any candidate for public office or the qualification, passage or
2 defeat of any ballot measure, or for the support of any committee
3 supporting or opposing candidates or ballot measures or for
4 paying debts or obligations of any candidate or committee
5 previously incurred for the above purposes. A contribution of
6 anything of value shall be deemed to have a money value
7 equivalent to the fair market value. "Contribution" includes,
8 but is not limited to:

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

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

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

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

22 (e) Any loan, guarantee of a loan, cancellation or
23 forgiveness of a loan or debt or other obligation by a third
24 party, or payment of a loan or debt or other obligation by a
25 third party if the loan or debt or other obligation was
26 contracted, used, or intended, in whole or in part, for use in an
27 election campaign or used or intended for the payment of such

1 debts or obligations of a candidate or committee previously
2 incurred, or which was made or received by a committee;

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

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

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

19 (i) "Contribution" does not include:

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

26 b. An offer or tender of a contribution which is expressly
27 and unconditionally rejected and returned to the donor within ten

1 business days after receipt or transmitted to the state
2 treasurer;

3 c. Interest earned on deposit of committee funds;

4 d. The costs incurred by any connected organization listed
5 pursuant to subdivision [(4)] (5) of subsection 5 of section
6 130.021 for establishing, administering or maintaining a
7 committee, or for the solicitation of contributions to a
8 committee which solicitation is solely directed or related to the
9 members, officers, directors, employees or security holders of
10 the connected organization;

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

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

17 (15) "Election", any primary, general or special election
18 held to nominate or elect an individual to public office, to
19 retain or recall an elected officeholder or to submit a ballot
20 measure to the voters, and any caucus or other meeting of a
21 political party or a political party committee at which that
22 party's candidate or candidates for public office are officially
23 selected. A primary election and the succeeding general election
24 shall be considered separate elections;

25 (16) "Expenditure", a payment, advance, conveyance,
26 deposit, donation or contribution of money or anything of value
27 for the purpose of supporting or opposing the nomination or

1 election of any candidate for public office or the qualification
2 or passage of any ballot measure or for the support of any
3 committee which in turn supports or opposes any candidate or
4 ballot measure or for the purpose of paying a previously incurred
5 campaign debt or obligation of a candidate or the debts or
6 obligations of a committee; a payment, or an agreement or promise
7 to pay, money or anything of value, including a candidate's own
8 money or property, for the purchase of goods, services, property,
9 facilities or anything of value for the purpose of supporting or
10 opposing the nomination or election of any candidate for public
11 office or the qualification or passage of any ballot measure or
12 for the support of any committee which in turn supports or
13 opposes any candidate or ballot measure or for the purpose of
14 paying a previously incurred campaign debt or obligation of a
15 candidate or the debts or obligations of a committee. An
16 expenditure of anything of value shall be deemed to have a money
17 value equivalent to the fair market value. "Expenditure"
18 includes, but is not limited to:

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

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

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

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

6 (e) "Expenditure" does not include:

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

12 b. The internal dissemination by any membership
13 organization, proprietorship, labor organization, corporation,
14 association or other entity of information advocating the
15 election or defeat of a candidate or candidates or the passage or
16 defeat of a ballot measure or measures to its directors,
17 officers, members, employees or security holders, provided that
18 the cost incurred is reported [pursuant to subsection 2 of
19 section 130.051] as provided by law;

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

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

1 e. The costs incurred by any connected organization listed
2 pursuant to subdivision [(4)] (5) of subsection 5 of section
3 130.021 for establishing, administering or maintaining a
4 committee, or for the solicitation of contributions to a
5 committee which solicitation is solely directed or related to the
6 members, officers, directors, employees or security holders of
7 the connected organization;

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

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

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

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

27 (20) "Labor organization", any organization of any kind, or

1 any agency or employee representation committee or plan, in which
2 employees participate and which exists for the purpose, in whole
3 or in part, of dealing with employers concerning grievances,
4 labor disputes, wages, rates of pay, hours of employment, or
5 conditions of work;

6 (21) "Loan", a transfer of money, property or anything of
7 ascertainable monetary value in exchange for an obligation,
8 conditional or not, to repay in whole or in part and which was
9 contracted, used, or intended for use in an election campaign, or
10 which was made or received by a committee or which was
11 contracted, used, or intended to pay previously incurred campaign
12 debts or obligations of a candidate or the debts or obligations
13 of a committee;

14 (22) "Person", an individual, group of individuals,
15 corporation, partnership, committee, proprietorship, joint
16 venture, any department, agency, board, institution or other
17 entity of the state or any of its political subdivisions, union,
18 labor organization, trade or professional or business
19 association, association, political party or any executive
20 committee thereof, or any other club or organization however
21 constituted or any officer or employee of such entity acting in
22 the person's official capacity;

23 (23) "Political merchandise", goods such as bumper
24 stickers, pins, hats, ties, jewelry, literature, or other items
25 sold or distributed at a fund-raising event or to the general
26 public for publicity or for the purpose of raising funds to be
27 used in supporting or opposing a candidate for nomination or

1 election or in supporting or opposing the qualification, passage
2 or defeat of a ballot measure;

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

6 (25) "Political party committee", a state, congressional
7 district, or county[, city, or area] political action committee
8 of a political party, as [defined] authorized in section 115.603,
9 which may be organized as a not-for-profit corporation under
10 Missouri law, and which committee is of continuing existence, and
11 has the primary or incidental purpose of receiving contributions
12 and making expenditures to influence or attempt to influence the
13 action of voters on behalf of the political party;

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

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

21 (28) "Write-in candidate", an individual whose name is not
22 printed on the ballot but who otherwise meets the definition of
23 candidate in [subdivision (3) of] this section."; and

24
25 Further amend said title, enacting clause and intersectional
26 references accordingly.