

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

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1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 18,  
2 Section 105.473, Line 156, by inserting after all of said line the following:

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

7 2. Each person required to file a financial interest statement pursuant to  
8 subdivisions (1) to (12) of section 105.483 shall file the following information  
9 for himself, his spouse and dependent children at any time during the period  
10 covered by the statement, whether singularly or collectively; provided,  
11 however, that said person, if he does not know and his spouse will not divulge  
12 any information required to be reported by this section concerning the  
13 financial interest of his spouse, shall state on his financial interest statement  
14 that he has disclosed that information known to him and that his spouse has  
15 refused or failed to provide other information upon his bona fide request, and  
16 such statement shall be deemed to satisfy the requirements of this section for  
17 such financial interest of his spouse; and provided further if the spouse of any  
18 person required to file a financial interest statement is also required by section  
19 105.483 to file a financial interest statement, the financial interest statement  
20 filed by each need not disclose the financial interest of the other, provided that  
21 each financial interest statement shall state that the spouse of the person has  
22 filed a separate financial interest statement and the name under which the  
23 statement was filed:

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

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

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1 exchange or automated quotation system in which the person owned two  
2 percent or more of any class of outstanding stock, limited partnership units or  
3 other equity interests;

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

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

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

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

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

43 (8) The name and address of each source from which such person received a  
44 gift or gifts, or honorarium or honoraria in excess of two hundred dollars in  
45 value per source during the year covered by the statement other than gifts  
46 from persons within the third degree of consanguinity or affinity of the person  
47 filing the financial interest statement. For the purposes of this section, a "gift"  
48 shall not be construed to mean political contributions otherwise required to be

1 reported by law or hospitality such as food, beverages or admissions to social,  
2 art, or sporting events or the like, or informational material. For the purposes  
3 of this section, a "gift" shall include gifts to or by creditors of the individual  
4 for the purpose of cancelling, reducing or otherwise forgiving the  
5 indebtedness of the individual to that creditor;

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

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

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

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

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

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

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

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

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

32 (b) Is a lobbyist; or

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

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

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

42 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this  
43 section, an individual shall be deemed to have received a salary from his  
44 employer or income from any source at the time when he shall receive a  
45 negotiable instrument whether or not payable at a later date and at the time  
46 when under the practice of his employer or the terms of an agreement he has  
47 earned or is entitled to anything of actual value whether or not delivery of the  
48 value is deferred or right to it has vested. The term income as used in this

1 section shall have the same meaning as provided in the Internal Revenue Code  
2 of 1986, and amendments thereto, as the same may be or becomes effective, at  
3 any time or from time to time for the taxable year, provided that income shall  
4 not be considered received or earned for purposes of this section from a  
5 partnership or sole proprietorship until such income is converted from  
6 business to personal use.

7 4. Each official, officer or employee or candidate of any political subdivision  
8 described in subdivision (11) of section 105.483 shall be required to file a  
9 financial interest statement as required by subsection 2 of this section, unless  
10 the political subdivision biennially adopts an ordinance, order or resolution at  
11 an open meeting by September fifteenth of the preceding year, which  
12 establishes and makes public its own method of disclosing potential conflicts  
13 of interest and substantial interests and therefore excludes the political  
14 subdivision or district and its officers and employees from the requirements of  
15 subsection 2 of this section. A certified copy of the ordinance, order or  
16 resolution shall be sent to the commission within ten days of its adoption. The  
17 commission shall assist any political subdivision in developing forms to  
18 complete the requirements of this subsection. The ordinance, order or  
19 resolution shall contain, at a minimum, the following requirements with  
20 respect to disclosure of substantial interests:

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

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

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

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

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

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

47 105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall  
48 be on a form prescribed by the commission and shall be signed and verified by a written declaration

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

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

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

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

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

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

43 (5) The name and address of each entity in which such person owned stock, bonds or other  
44 equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation  
45 listed on a regulated stock exchange, only the name of the corporation need be listed; and provided  
46 that any member of any board or commission of the state or any political subdivision who does not  
47 receive any compensation for [his] the member's services to the state or political subdivision other  
48 than reimbursement for [his] the member's actual expenses or a per diem allowance as prescribed by

1 law for each day of such service need not report interests in publicly traded corporations or limited  
2 partnerships which are listed on a regulated stock exchange or automated quotation system pursuant  
3 to this subdivision; and provided further that the provisions of this subdivision shall not require  
4 reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement  
5 Income Security Act;

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

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

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

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

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

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

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

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

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

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

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

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

45 (b) Is a lobbyist; or

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

47 (12) The name and address of each campaign committee, political committee, candidate  
48 committee, or [continuing] political action committee for which such person or any corporation

1 listed on such person's financial interest statement received payment; and

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

5 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an  
6 individual shall be deemed to have received a salary from [his] the individual's employer or income  
7 from any source at the time when [he] the individual shall receive a negotiable instrument whether or  
8 not payable at a later date and at the time when under the practice of [his] the individual's employer  
9 or the terms of an agreement [he] the individual has earned or is entitled to anything of actual value  
10 whether or not delivery of the value is deferred or right to it has vested. The term income as used in  
11 this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and  
12 amendments thereto, as the same may be or becomes effective, at any time or from time to time for  
13 the taxable year, provided that income shall not be considered received or earned for purposes of this  
14 section from a partnership or sole proprietorship until such income is converted from business to  
15 personal use.

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

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

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

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

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

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

44 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the  
45 commission and the governing body of the political subdivision. The clerk of such governing body  
46 shall maintain such disclosure reports available for public inspection and copying during normal  
47 business hours."; and

48

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

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

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

38 3. The term of each member shall be for four years, except that of the  
39 members first appointed, the governor shall select three members from  
40 even-numbered congressional districts and three members from  
41 odd-numbered districts. Not more than three members of the commission  
42 shall be members of the same political party, nor shall more than one member  
43 be from any one United States congressional district. Not more than two  
44 members appointed from the even-numbered congressional districts shall be  
45 members of the same political party, and no more than two members from the  
46 odd-numbered congressional districts shall be members of the same political  
47 party. Of the members first appointed, the terms of the members appointed  
48 from the odd-numbered congressional districts shall expire on March 15,



1 1994, and the terms of the members appointed from the even-numbered  
2 congressional districts shall expire on March 15, 1996. Thereafter all  
3 successor members of the commission shall be appointed for four-year terms.  
4 Terms of successor members of the commission shall expire on March  
5 fifteenth of the fourth year of their term. No member of the commission shall  
6 serve on the commission after the expiration of the member's term. No person  
7 shall be appointed to more than one full four-year term on the commission.

8 4. Vacancies or expired terms on the commission shall be filled in the same  
9 manner as the original appointment was made, except as provided in this  
10 subsection. Within thirty days of the vacancy or ninety days before the  
11 expiration of the term, the names of two eligible nominees for membership on  
12 the commission shall be submitted to the governor by the congressional  
13 district committees of the political party or parties of the vacating member or  
14 members, from the even- or odd-numbered congressional districts, based on  
15 the residence of the vacating member or members, other than from the  
16 congressional district committees from districts then represented on the  
17 commission and from the same congressional district party committee or  
18 committees which originally appointed the member or members whose  
19 positions are vacated. Appointments to fill vacancies or expired terms shall be  
20 made within forty-five days after the deadline for submission of names by the  
21 congressional district committees, and shall be subject to the same  
22 qualifications for appointment and eligibility as is provided in subsections 2  
23 and 3 of this section. Appointments to fill vacancies for unexpired terms shall  
24 be for the remainder of the unexpired term of the member whom the appointee  
25 succeeds, and such appointees shall be eligible for appointment to one full  
26 four-year term. If the congressional district committee does not submit the  
27 required two nominees within the thirty days or if the congressional district  
28 committee does not submit the two nominees within an additional thirty days  
29 after receiving notice from the governor to submit the nominees, then the  
30 governor may appoint a person or persons who shall be subject to the same  
31 qualifications for appointment and eligibility as provided in subsections 2 and  
32 3 of this section.

33 5. The governor, with the advice and consent of the senate, may remove any  
34 member only for substantial neglect of duty, inability to discharge the powers  
35 and duties of office, gross misconduct or conviction of a felony or a crime  
36 involving moral turpitude. Members of the commission also may be removed  
37 from office by concurrent resolution of the general assembly signed by the  
38 governor. If such resolution receives the vote of two-thirds or more of the  
39 membership of both houses of the general assembly, the signature of the  
40 governor shall not be necessary to effect removal. The office of any member  
41 of the commission who moves from the congressional district from which the  
42 member was appointed shall be deemed vacated upon such change of  
43 residence.

44 6. The commission shall elect biennially one of its members as the chairman.  
45 The chairman may not succeed himself or herself after two years. No member  
46 of the commission shall succeed as chairman any member of the same  
47 political party as himself or herself. At least four members are necessary to  
48 constitute a quorum, and at least four affirmative votes shall be required for

1 any action or recommendation of the commission.

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

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

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

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

10 (2) Be employed as a lobbyist;

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

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

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

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

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

25 11. The commission shall appoint an executive director who shall serve  
26 subject to the supervision of and at the pleasure of the commission, but in no  
27 event for more than six years. The executive director shall be responsible for  
28 the administrative operations of the commission and perform such other duties  
29 as may be delegated or assigned to the director by law or by rule of the  
30 commission. The executive director shall employ staff and retain such  
31 contract services as the director deems necessary, within the limits authorized  
32 by appropriations by the general assembly.

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

38 13. Within sixty days of the initial meeting of the first commission appointed,  
39 the commission shall obtain from the clerk of the supreme court or the state  
40 courts administrator a list of retired appellate and circuit court judges who did  
41 not leave the judiciary as a result of being defeated in an election. The  
42 executive director shall determine those judges who indicate their desire to  
43 serve as special investigators and to investigate any and all complaints  
44 referred to them by the commission. The executive director shall maintain an  
45 updated list of those judges qualified and available for appointment to serve as  
46 special investigators. Such list shall be updated at least annually. The  
47 commission shall refer complaints to such special investigators on that list on  
48 a rotating schedule which ensures a random assignment of each special

1 investigator. Each special investigator shall receive only one unrelated  
2 investigation at a time and shall not be assigned to a second or subsequent  
3 investigation until all other eligible investigators on the list have been  
4 assigned to an investigation. In the event that no special investigator is  
5 qualified or available to conduct a particular investigation, the commission  
6 may appoint a special investigator to conduct such particular investigation.

7 14. The commission shall have the following duties and responsibilities  
8 relevant to the impartial and effective enforcement of sections 105.450 to  
9 105.496 and chapter 130, as provided in sections 105.955 to 105.963:

10 (1) Receive and review complaints regarding alleged violation of sections  
11 105.450 to 105.496 and chapter 130, conduct initial reviews and  
12 investigations regarding such complaints as provided herein; refer complaints  
13 to appropriate prosecuting authorities and appropriate disciplinary authorities  
14 along with recommendations for sanctions; and initiate judicial proceedings as  
15 allowed by sections 105.955 to 105.963;

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

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

22 (4) Develop appropriate systems to file and maintain an index of all such  
23 reports and statements to facilitate public access to such information, except as  
24 may be limited by confidentiality requirements otherwise provided by law,  
25 including cross-checking of information contained in such statements and  
26 reports. The commission may enter into contracts with the appropriate filing  
27 officers to effectuate such system. Such filing officers shall cooperate as  
28 necessary with the commission as reasonable and necessary to effectuate such  
29 purposes;

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

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

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

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

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

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

1 (1) Subpoena witnesses and compel their attendance and testimony.  
2 Subpoenas shall be served and enforced in the same manner provided by  
3 section 536.077;  
4 (2) Administer oaths and affirmations;  
5 (3) Take evidence and require by subpoena duces tecum the production of  
6 books, papers, and other records relating to any matter being investigated or to  
7 the performance of the commission's duties or exercise of its powers.  
8 Subpoenas duces tecum shall be served and enforced in the same manner  
9 provided by section 536.077;  
10 (4) Employ such personnel, including legal counsel, and contract for services  
11 including legal counsel, within the limits of its appropriation, as it deems  
12 necessary provided such legal counsel, either employed or contracted,  
13 represents the Missouri ethics commission before any state agency or before  
14 the courts at the request of the Missouri ethics commission. Nothing in this  
15 section shall limit the authority of the Missouri ethics commission as provided  
16 for in subsection 2 of section 105.961; and  
17 (5) Obtain information from any department, division or agency of the state  
18 or any political subdivision reasonably calculated to lead to the discovery of  
19 evidence which will reasonably assist the commission in carrying out the  
20 duties prescribed in sections 105.955 to 105.963 and chapter 130.

21 16. (1) Upon written request for an advisory opinion received by the  
22 commission, and if the commission determines that the person requesting the  
23 opinion would be directly affected by the application of law to the facts  
24 presented by the requesting person, the commission shall issue a written  
25 opinion advising the person who made the request, in response to the person's  
26 particular request, regarding any issue that the commission can receive a  
27 complaint on pursuant to section 105.957. The commission may decline to  
28 issue a written opinion by a vote of four members and shall provide to the  
29 requesting person the reason for the refusal in writing. The commission shall  
30 give an approximate time frame as to when the written opinion shall be issued.  
31 Such advisory opinions shall be issued no later than ninety days from the date  
32 of receipt by the commission. Such requests and advisory opinions, deleting  
33 the name and identity of the requesting person, shall be compiled and  
34 published by the commission on at least an annual basis. Advisory opinions  
35 issued by the commission shall be maintained and made available for public  
36 inspection and copying at the office of the commission during normal business  
37 hours. Any advisory opinion or portion of an advisory opinion rendered  
38 pursuant to this subsection shall be withdrawn by the commission if, after  
39 hearing thereon, the joint committee on administrative rules finds that such  
40 advisory opinion is beyond or contrary to the statutory authority of the  
41 commission or is inconsistent with the legislative intent of any law enacted by  
42 the general assembly, and after the general assembly, by concurrent resolution,  
43 votes to adopt the findings and conclusions of the joint committee on  
44 administrative rules. Any such concurrent resolution adopted by the general  
45 assembly shall be published at length by the commission in its publication of  
46 advisory opinions of the commission next following the adoption of such  
47 resolution, and a copy of such concurrent resolution shall be maintained by the  
48 commission, along with the withdrawn advisory opinion, in its public file of

1 advisory opinions. The commission shall also send a copy of such resolution  
2 to the person who originally requested the withdrawn advisory opinion. Any  
3 advisory opinion issued by the ethics commission shall act as legal direction to  
4 any person requesting such opinion and no person shall be liable for relying  
5 on the opinion and it shall act as a defense of justification against prosecution.

6 An advisory opinion of the commission shall not be withdrawn unless:

7 (a) The authorizing statute is declared unconstitutional;

8 (b) The opinion goes beyond the power authorized by statute; or

9 (c) The authorizing statute is changed to invalidate the opinion.

10 (2) Upon request, the attorney general shall give the attorney general's  
11 opinion, without fee, to the commission, any elected official of the state or any  
12 political subdivision, any member of the general assembly, or any director of  
13 any department, division or agency of the state, upon any question of law  
14 regarding the effect or application of sections 105.450 to 105.496 or chapter  
15 130. Such opinion need be in writing only upon request of such official,  
16 member or director, and in any event shall be rendered within sixty days after  
17 such request is delivered to the attorney general.

18 17. The state auditor and the state auditor's duly authorized employees who  
19 have taken the oath of confidentiality required by section 29.070 may audit  
20 the commission and in connection therewith may inspect materials relating to  
21 the functions of the commission. Such audit shall include a determination of  
22 whether appropriations were spent within the intent of the general assembly,  
23 but shall not extend to review of any file or document pertaining to any  
24 particular investigation, audit or review by the commission, an investigator or  
25 any staff or person employed by the commission or under the supervision of  
26 the commission or an investigator. The state auditor and any employee of the  
27 state auditor shall not disclose the identity of any person who is or was the  
28 subject of an investigation by the commission and whose identity is not public  
29 information as provided by law.

30 18. From time to time but no more frequently than annually the commission  
31 may request the officials and entities described in subdivision (6) of section  
32 105.450 to identify for the commission in writing those persons associated  
33 with such office or entity which such office or entity has designated as a  
34 decision-making public servant. Each office or entity delineated in  
35 subdivision (6) of section 105.450 receiving such a request shall identify those  
36 so designated within thirty days of the commission's request.]

37 105.955. 1. A bipartisan "Missouri Ethics Commission", composed of six members, is

38 hereby established. The commission shall be assigned to the office of administration with  
39 supervision by the office of administration only for budgeting and reporting as provided by  
40 subdivisions (4) and (5) of subsection 6 of section 1 of the Reorganization Act of 1974. Supervision  
41 by the office of administration shall not extend to matters relating to policies, regulative functions or  
42 appeals from decisions of the commission, and the commissioner of administration, any employee of  
43 the office of administration, or the governor, either directly or indirectly, shall not participate or

1 interfere with the activities of the commission in any manner not specifically provided by law and  
2 shall not in any manner interfere with the budget request of or withhold any moneys appropriated to  
3 the commission by the general assembly. All members of the commission shall be appointed by the  
4 governor with the advice and consent of the senate from lists submitted pursuant to this section.

5 Each congressional district committee of the political parties having the two highest number of votes  
6 cast for their candidate for governor at the last gubernatorial election shall submit two names of  
7 eligible nominees for membership on the commission to the governor, and the governor shall select  
8 six members from such nominees to serve on the commission.

9         2. Within thirty days of submission of the person's name to the governor as provided in  
10 subsection 1 of this section, and in order to be an eligible nominee for appointment to the  
11 commission, a person shall file a financial interest statement in the manner provided by section  
12 105.485 and shall provide the governor, the president pro tempore of the senate, and the commission  
13 with a list of all political contributions and the name of the candidate or committee, political party, or  
14 [continuing] political action committee, as defined in chapter 130, to which those contributions were  
15 made within the four-year period prior to such appointment, made by the nominee, the nominee's  
16 spouse, or any business entity in which the nominee has a substantial interest. The information shall  
17 be maintained by the commission and available for public inspection during the period of time  
18 during which the appointee is a member of the commission. In order to be an eligible nominee for  
19 membership on the commission, a person shall be a citizen and a resident of the state and shall have  
20 been a registered voter in the state for a period of at least five years preceding the person's  
21 appointment.

22         3. The term of each member shall be for four years, except that of the members first  
23 appointed, the governor shall select three members from even-numbered congressional districts and  
24 three members from odd-numbered districts. Not more than three members of the commission shall  
25 be members of the same political party, nor shall more than one member be from any one United  
26 States congressional district. Not more than two members appointed from the even-numbered  
27 congressional districts shall be members of the same political party, and no more than two members

1 from the odd-numbered congressional districts shall be members of the same political party. Of the  
2 members first appointed, the terms of the members appointed from the odd-numbered congressional  
3 districts shall expire on March 15, 1994, and the terms of the members appointed from the  
4 even-numbered congressional districts shall expire on March 15, 1996. Thereafter all successor  
5 members of the commission shall be appointed for four-year terms. Terms of successor members of  
6 the commission shall expire on March fifteenth of the fourth year of their term. No member of the  
7 commission shall serve on the commission after the expiration of the member's term. No person  
8 shall be appointed to more than one full four-year term on the commission.

9       4. Vacancies or expired terms on the commission shall be filled in the same manner as the  
10 original appointment was made, except as provided in this subsection. Within thirty days of the  
11 vacancy or ninety days before the expiration of the term, the names of two eligible nominees for  
12 membership on the commission shall be submitted to the governor by the congressional district  
13 committees of the political party or parties of the vacating member or members, from the even- or  
14 odd-numbered congressional districts, based on the residence of the vacating member or members,  
15 other than from the congressional district committees from districts then represented on the  
16 commission and from the same congressional district party committee or committees which  
17 originally appointed the member or members whose positions are vacated. Appointments to fill  
18 vacancies or expired terms shall be made within forty-five days after the deadline for submission of  
19 names by the congressional district committees, and shall be subject to the same qualifications for  
20 appointment and eligibility as is provided in subsections 2 and 3 of this section. Appointments to fill  
21 vacancies for unexpired terms shall be for the remainder of the unexpired term of the member whom  
22 the appointee succeeds, and such appointees shall be eligible for appointment to one full four-year  
23 term. If the congressional district committee does not submit the required two nominees within the  
24 thirty days or if the congressional district committee does not submit the two nominees within an  
25 additional thirty days after receiving notice from the governor to submit the nominees, then the  
26 governor may appoint a person or persons who shall be subject to the same qualifications for  
27 appointment and eligibility as provided in subsections 2 and 3 of this section.

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

9           6. The commission shall elect biennially one of its members as the [chairman] chair. The  
10 [chairman may] chair shall not succeed himself or herself after two years. No member of the  
11 commission shall succeed as [chairman] chair any member of the same political party as himself or  
12 herself. At least four members are necessary to constitute a quorum, and at least four affirmative  
13 votes shall be required for any action or recommendation of the commission.

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

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

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

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

21           (2) Be employed as a lobbyist;

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

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

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

26           (6) Participate in any way in any election campaign; except that a member or employee of  
27 the commission shall retain the right to register and vote in any election, to express the person's



1 opinion privately on political subjects or candidates, to participate in the activities of a civic,  
2 community, social, labor or professional organization and to be a member of a political party.

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

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

13  
14 12. Beginning on January 1, 1993, all lobbyist registration and expenditure reports filed  
15 pursuant to section 105.473, financial interest statements filed pursuant to subdivision (1) of section  
16 105.489, and campaign finance disclosure reports filed other than with election authorities or local  
17 election authorities as provided by section 130.026 shall be filed with the commission.

18 13. Within sixty days of the initial meeting of the first commission appointed, the  
19 commission shall obtain from the clerk of the supreme court or the state courts administrator a list of  
20 retired appellate and circuit court judges who did not leave the judiciary as a result of being defeated  
21 in an election. The executive director shall determine those judges who indicate their desire to serve  
22 as special investigators and to investigate any and all complaints referred to them by the commission.  
23 The executive director shall maintain an updated list of those judges qualified and available for  
24 appointment to serve as special investigators. Such list shall be updated at least annually. The  
25 commission shall refer complaints to such special investigators on that list on a rotating schedule  
26 which ensures a random assignment of each special investigator. Each special investigator shall  
27 receive only one unrelated investigation at a time and shall not be assigned to a second or subsequent

1 investigation until all other eligible investigators on the list have been assigned to an investigation.

2 In the event that no special investigator is qualified or available to conduct a particular investigation,  
3 the commission may appoint a special investigator to conduct such particular investigation.

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

7 (1) Receive and review complaints regarding alleged violation of sections 105.450 to  
8 105.496 and chapter 130, conduct initial reviews and investigations regarding such complaints as  
9 provided herein; refer complaints to appropriate prosecuting authorities and appropriate disciplinary  
10 authorities along with recommendations for sanctions; and initiate judicial proceedings as allowed by  
11 sections 105.955 to 105.963;

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

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

22 (4) Provide information and assistance to lobbyists, elected and appointed officials, and  
23 employees of the state and political subdivisions in carrying out the provisions of sections 105.450 to  
24 105.496 and chapter 130;

25 (5) Make recommendations to the governor and general assembly or any state agency on the  
26 need for further legislation with respect to the ethical conduct of public officials and employees and  
27 to advise state and local government in the development of local government codes of ethics and

1 methods of disclosing conflicts of interest as the commission may deem appropriate to promote high  
2 ethical standards among all elected and appointed officials or employees of the state or any political  
3 subdivision thereof and lobbyists;

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

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

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

9 15. In connection with such powers provided by sections 105.955 to 105.963 and chapter  
10 130, the commission may:

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

13 (2) Administer oaths and affirmations;

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

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

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

27 16. (1) Upon written request for an advisory opinion received by the commission, and if the

1 commission determines that the person requesting the opinion would be directly affected by the  
2 application of law to the facts presented by the requesting person, the commission shall issue a  
3 written opinion advising the person who made the request, in response to the person's particular  
4 request, regarding any issue that the commission can receive a complaint on pursuant to section  
5 105.957. The commission may decline to issue a written opinion by a vote of four members and  
6 shall provide to the requesting person the reason for the refusal in writing. The commission shall  
7 give an approximate time frame as to when the written opinion shall be issued. Such advisory  
8 opinions shall be issued no later than ninety days from the date of receipt by the commission. Such  
9 requests and advisory opinions, deleting the name and identity of the requesting person, shall be  
10 compiled and published by the commission on at least an annual basis. Advisory opinions issued by  
11 the commission shall be maintained and made available for public inspection and copying at the  
12 office of the commission during normal business hours. Any advisory opinion or portion of an  
13 advisory opinion rendered pursuant to this subsection shall be withdrawn by the commission if, after  
14 hearing thereon, the joint committee on administrative rules finds that such advisory opinion is  
15 beyond or contrary to the statutory authority of the commission or is inconsistent with the legislative  
16 intent of any law enacted by the general assembly, and after the general assembly, by concurrent  
17 resolution, votes to adopt the findings and conclusions of the joint committee on administrative  
18 rules. Any such concurrent resolution adopted by the general assembly shall be published at length  
19 by the commission in its publication of advisory opinions of the commission next following the  
20 adoption of such resolution, and a copy of such concurrent resolution shall be maintained by the  
21 commission, along with the withdrawn advisory opinion, in its public file of advisory opinions. The  
22 commission shall also send a copy of such resolution to the person who originally requested the  
23 withdrawn advisory opinion. Any advisory opinion issued by the ethics commission shall act as  
24 legal direction to any person requesting such opinion and no person shall be liable for relying on the  
25 opinion and it shall act as a defense of justification against prosecution. An advisory opinion of the  
26 commission shall not be withdrawn unless:

27 (a) The authorizing statute is declared unconstitutional;

1 (b) The opinion goes beyond the power authorized by statute; or

2 (c) The authorizing statute is changed to invalidate the opinion.

3 (2) Upon request, the attorney general shall give the attorney general's opinion, without fee,  
4 to the commission, any elected official of the state or any political subdivision, any member of the  
5 general assembly, or any director of any department, division or agency of the state, upon any  
6 question of law regarding the effect or application of sections 105.450 to 105.496, or chapter 130.  
7 Such opinion need be in writing only upon request of such official, member or director, and in any  
8 event shall be rendered within sixty days [that] after such request is delivered to the attorney general.

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

18 18. From time to time but no more frequently than annually the commission may request the  
19 officials and entities described in subdivision (6) of section 105.450 to identify for the commission in  
20 writing those persons associated with such office or entity which such office or entity has designated  
21 as a decision-making public servant. Each office or entity delineated in subdivision (6) of section  
22 105.450 receiving such a request shall identify those so designated within thirty days of the  
23 commission's request.

24 [130.011. As used in this chapter, unless the context clearly indicates  
25 otherwise, the following terms mean:

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

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

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

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

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

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

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

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

40 (5) "Candidate committee", a committee which shall be formed by a  
41 candidate to receive contributions or make expenditures in behalf of the  
42 person's candidacy and which shall continue in existence for use by an elected  
43 candidate or which shall terminate the later of either thirty days after the  
44 general election for a candidate who was not elected or upon the satisfaction  
45 of all committee debt after the election, except that no committee retiring debt  
46 shall engage in any other activities in support of the candidate for which the  
47 committee was formed. Any candidate for elective office shall have only one  
48 candidate committee for the elective office sought, which is controlled

1 directly by the candidate for the purpose of making expenditures. A candidate  
2 committee is presumed to be under the control and direction of the candidate  
3 unless the candidate files an affidavit with the appropriate officer stating that  
4 the committee is acting without control or direction on the candidate's part;

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

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

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

13 (9) "Committee", a person or any combination of persons, who accepts  
14 contributions or makes expenditures for the primary or incidental purpose of  
15 influencing or attempting to influence the action of voters for or against the  
16 nomination or election to public office of one or more candidates or the  
17 qualification, passage or defeat of any ballot measure or for the purpose of  
18 paying a previously incurred campaign debt or obligation of a candidate or the  
19 debts or obligations of a committee or for the purpose of contributing funds to  
20 another committee:

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

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

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

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

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

47 e. A person who acts as an authorized agent for a committee in soliciting or  
48 receiving contributions or in making expenditures or incurring indebtedness

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

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

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

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

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

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

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

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

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

39 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt  
40 or other obligation by a third party, or payment of a loan or debt or other  
41 obligation by a third party if the loan or debt or other obligation was  
42 contracted, used, or intended, in whole or in part, for use in an election  
43 campaign or used or intended for the payment of such debts or obligations of a  
44 candidate or committee previously incurred, or which was made or received  
45 by a committee;

46 (f) Funds received by a committee which are transferred to such committee  
47 from another committee or other source, except funds received by a candidate  
48 committee as a transfer of funds from another candidate committee controlled



1 by the same candidate but such transfer shall be included in the disclosure  
2 reports;

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

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

12 (i) "Contribution" does not include:

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

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

22 c. Interest earned on deposit of committee funds;

23 d. The costs incurred by any connected organization listed pursuant to  
24 subdivision (4) of subsection 5 of section 130.021 for establishing,  
25 administering or maintaining a committee, or for the solicitation of  
26 contributions to a committee which solicitation is solely directed or related to  
27 the members, officers, directors, employees or security holders of the  
28 connected organization;

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

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

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

40 (15) "Expenditure", a payment, advance, conveyance, deposit, donation or  
41 contribution of money or anything of value for the purpose of supporting or  
42 opposing the nomination or election of any candidate for public office or the  
43 qualification or passage of any ballot measure or for the support of any  
44 committee which in turn supports or opposes any candidate or ballot measure  
45 or for the purpose of paying a previously incurred campaign debt or obligation  
46 of a candidate or the debts or obligations of a committee; a payment, or an  
47 agreement or promise to pay, money or anything of value, including a  
48 candidate's own money or property, for the purchase of goods, services,

1 property, facilities or anything of value for the purpose of supporting or  
2 opposing the nomination or election of any candidate for public office or the  
3 qualification or passage of any ballot measure or for the support of any  
4 committee which in turn supports or opposes any candidate or ballot measure  
5 or for the purpose of paying a previously incurred campaign debt or obligation  
6 of a candidate or the debts or obligations of a committee. An expenditure of  
7 anything of value shall be deemed to have a money value equivalent to the fair  
8 market value. "Expenditure" includes, but is not limited to:

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

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

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

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

20 (e) "Expenditure" does not include:

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

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

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

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

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

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

48 (16) "Exploratory committees", a committee which shall be formed by an

1 individual to receive contributions and make expenditures on behalf of this  
2 individual in determining whether or not the individual seeks elective office.  
3 Such committee shall terminate no later than December thirty-first of the year  
4 prior to the general election for the possible office;

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

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

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

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

23 (21) "Person", an individual, group of individuals, corporation, partnership,  
24 committee, proprietorship, joint venture, any department, agency, board,  
25 institution or other entity of the state or any of its political subdivisions, union,  
26 labor organization, trade or professional or business association, association,  
27 political party or any executive committee thereof, or any other club or  
28 organization however constituted or any officer or employee of such entity  
29 acting in the person's official capacity;

30 (22) "Political action committee", a committee of continuing existence which  
31 is not formed, controlled or directed by a candidate, and is a committee other  
32 than a candidate committee, political party committee, campaign committee,  
33 exploratory committee, or debt service committee, whose primary or  
34 incidental purpose is to receive contributions or make expenditures to  
35 influence or attempt to influence the action of voters whether or not a  
36 particular candidate or candidates or a particular ballot measure or measures to  
37 be supported or opposed has been determined at the time the committee is  
38 required to file any statement or report pursuant to the provisions of this  
39 chapter. Such a committee includes, but is not limited to, any committee  
40 organized or sponsored by a business entity, a labor organization, a  
41 professional association, a trade or business association, a club or other  
42 organization and whose primary purpose is to solicit, accept and use  
43 contributions from the members, employees or stockholders of such entity and  
44 any individual or group of individuals who accept and use contributions to  
45 influence or attempt to influence the action of voters. Such committee shall  
46 be formed no later than sixty days prior to the election for which the  
47 committee receives contributions or makes expenditures;

48 (23) "Political merchandise", goods such as bumper stickers, pins, hats, ties,

1 jewelry, literature, or other items sold or distributed at a fund-raising event or  
 2 to the general public for publicity or for the purpose of raising funds to be  
 3 used in supporting or opposing a candidate for nomination or election or in  
 4 supporting or opposing the qualification, passage or defeat of a ballot  
 5 measure;

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

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

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

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

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

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

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

26 130.011. As used in this chapter, unless the context clearly indicates otherwise, the following  
 27 terms mean:

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

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

34 (3) "Candidate", an individual who seeks nomination or election to public office. The term  
 35 "candidate" includes an elected officeholder who is the subject of a recall election, an individual who  
 36 seeks nomination by the individual's political party for election to public office, an individual  
 37 standing for retention in an election to an office to which the individual was previously appointed, an  
 38 individual who seeks nomination or election whether or not the specific elective public office to be  
 39 sought has been finally determined by such individual at the time the individual meets the conditions  
 40 described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as  
 41 defined in [subdivision (28) of] this section. A candidate shall be deemed to seek nomination or  
 42 election when the person first:

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

45 (b) Knows or has reason to know that contributions are being received or expenditures are

1 being made or space or facilities are being reserved with the intent to promote the person's candidacy  
2 for office; except that, such individual shall not be deemed a candidate if the person files a statement  
3 with the appropriate officer within five days after learning of the receipt of contributions, the making  
4 of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the  
5 person will not accept nomination or take office if elected; provided that, if the election at which  
6 such individual is supported as a candidate is to take place within five days after the person's learning  
7 of the above-specified activities, the individual shall file the statement disavowing the candidacy  
8 within one day; or

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

10 (4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which  
11 can be transferred from one person to another person without the signature or endorsement of the  
12 transferor;

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

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

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

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

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

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

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

40 d. A labor organization organized or operated for a primary or principal purpose other than  
41 that of influencing or attempting to influence the action of voters for or against the nomination or

1 election to public office of one or more candidates, or the qualification, passage, or defeat of any  
2 ballot measure, and it accepts no contributions, and expenditures made by the organization are from  
3 its own funds or property received from membership dues or membership fees which were given or  
4 solicited for the purpose of supporting the normal and usual activities and functions of the  
5 organization and which are not contributions as defined by [subdivision (12) of] this section;

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

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

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

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

25 (9) "Candidate committee", a committee which shall be formed by a candidate to receive  
26 contributions or make expenditures [in] on behalf of the person's candidacy [and which shall  
27 continue in existence for use by an elected candidate or which shall terminate the later of either thirty  
28 days after the general election for a candidate who was not elected or upon the satisfaction of all  
29 committee debt after the election, except that no committee retiring debt shall engage in any other  
30 activities in support of the candidate for which the committee was formed]. Any candidate for  
31 elective office shall have only one candidate committee for the elective office sought, which is  
32 controlled directly by the candidate for the purpose of making expenditures. A candidate committee  
33 is presumed to be under the control and direction of the candidate unless the candidate files an  
34 affidavit with the appropriate officer stating that the committee is acting without control or direction  
35 on the candidate's part;

36 (10) "[Continuing] Political action committee", a committee of continuing existence [which  
37 is not formed, controlled or directed by a candidate, and is a committee] other than a candidate  
38 committee [or], political party committee, campaign committee, exploratory committee, or debt  
39 service committee, whose primary or incidental purpose is to receive contributions or make  
40 expenditures to influence or attempt to influence the action of voters whether or not a particular  
41 candidate or candidates or a particular ballot measure or measures to be supported or opposed has

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

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

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

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

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

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

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

32 (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other  
33 obligation by a third party, or payment of a loan or debt or other obligation by a third party if the  
34 loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an  
35 election campaign or used or intended for the payment of such debts or obligations of a candidate or  
36 committee previously incurred, or which was made or received by a committee;

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

41 (g) Facilities, office space or equipment supplied by any person to a candidate or committee

1 without charge or at reduced charges, except gratuitous space for meeting purposes which is made  
2 available regularly to the public, including other candidates or committees, on an equal basis for  
3 similar purposes on the same conditions;

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

7 (i) "Contribution" does not include:

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

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

14 c. Interest earned on deposit of committee funds;

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

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

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

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

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

41 (a) Payment by anyone other than a committee for services of another person rendered to



1 such committee;

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

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

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

9 (e) "Expenditure" does not include:

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

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

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

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

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

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

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

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

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

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

41 (20) "Labor organization", any organization of any kind, or any agency or employee

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

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

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

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

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

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

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

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

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

35 [130.021. 1. Every committee shall have a treasurer who, except as provided  
 36 in subsection 10 of this section, shall be a resident of this state. A committee  
 37 may also have a deputy treasurer who, except as provided in subsection 10 of  
 38 this section, shall be a resident of this state and serve in the capacity of  
 39 committee treasurer in the event the committee treasurer is unable for any  
 40 reason to perform the treasurer's duties.

41 2. Every candidate for offices listed in subsection 1 of section 130.016 who  
 42 has not filed a statement of exemption pursuant to that subsection and every

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

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

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

1 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds  
2 from a committee's official depository account and deposit such funds in one  
3 or more savings accounts in the committee's name in any bank, savings and  
4 loan association or credit union within this state, and may also withdraw funds  
5 from an official depository account for investment in the committee's name in  
6 any certificate of deposit, bond or security. Proceeds from interest or  
7 dividends from a savings account or other investment or proceeds from  
8 withdrawals from a savings account or from the sale of an investment shall not  
9 be expended or reinvested, except in the case of renewals of certificates of  
10 deposit, without first redepositing such proceeds in an official depository  
11 account. Investments, other than savings accounts, held outside the  
12 committee's official depository account at any time during a reporting period  
13 shall be disclosed by description, amount, any identifying numbers and the  
14 name and address of any institution or person in which or through which it is  
15 held in an attachment to disclosure reports the committee is required to file.  
16 Proceeds from an investment such as interest or dividends or proceeds from its  
17 sale, shall be reported by date and amount. In the case of the sale of an  
18 investment, the names and addresses of the persons involved in the transaction  
19 shall also be stated. Funds held in savings accounts and investments,  
20 including interest earned, shall be included in the report of money on hand as  
21 required by section 130.041.

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

31 (1) The name, mailing address and telephone number, if any, of the  
32 committee filing the statement of organization. If the committee is deemed to  
33 be affiliated with a connected organization as provided in subdivision (10) of  
34 section 130.011, the name of the connected organization, or a legally  
35 registered fictitious name which reasonably identifies the connected  
36 organization, shall appear in the name of the committee. If the committee is a  
37 candidate committee, the name of the candidate shall be a part of the  
38 committee's name;

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

40 (3) The name, mailing address and telephone number of the committee  
41 treasurer, and the name, mailing address and telephone number of its deputy  
42 treasurer if the committee has named a deputy treasurer;

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

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

46 (6) The name and mailing address of its depository, and the name and account  
47 number of each account the committee has in the depository. The account  
48 number of each account shall be redacted prior to disclosing the statement to

1 the public;

2 (7) Identification of the major nature of the committee such as a candidate  
3 committee, campaign committee, political action committee, political party  
4 committee, incumbent committee, or any other committee according to the  
5 definition of committee in section 130.011;

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

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

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

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

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

25 8. Upon termination of a committee, a termination statement indicating  
26 dissolution shall be filed not later than ten days after the date of dissolution  
27 with the appropriate officer or officers with whom the committee's statement  
28 of organization was filed. The termination statement shall include:  
29 the distribution made of any remaining surplus funds and the disposition of  
30 any deficits; and the name, mailing address and telephone number of the  
31 individual responsible for preserving the committee's records and accounts as  
32 required in section 130.036.

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

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

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

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

46 11. If a committee domiciled in this state receives a contribution of one  
47 thousand five hundred dollars or more from any committee domiciled outside  
48 of this state, the committee domiciled in this state shall file a disclosure report

1 with the commission. The report shall disclose the full name, mailing address,  
2 telephone numbers and domicile of the contributing committee and the date  
3 and amount of the contribution. The report shall be filed within forty-eight  
4 hours of the receipt of such contribution if the contribution is received after  
5 the last reporting date before the election.]

6 130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10  
7 of this section, shall be a resident of this state and reside in the district or county in which the  
8 committee sits. A committee may also have a deputy treasurer who, except as provided in subsection  
9 10 of this section, shall be a resident of this state and reside in the district or county in which the  
10 committee sits, to serve in the capacity of committee treasurer in the event the committee treasurer is  
11 unable for any reason to perform the treasurer's duties.

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

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

28 4. (1) Every committee shall have a single official fund depository within this state which  
29 shall be a federally or state-chartered bank, a federally or state-chartered savings and loan  
30 association, or a federally or state-chartered credit union in which the committee shall open and  
31 thereafter maintain at least one official depository account in its own name. An "official depository  
32 account" shall be a checking account or some type of negotiable draft or negotiable order of  
33 withdrawal account, and the official fund depository shall, regarding an official depository account,  
34 be a type of financial institution which provides a record of deposits, cancelled checks or other  
35 cancelled instruments of withdrawal evidencing each transaction by maintaining copies within this  
36 state of such instruments and other transactions. All contributions which the committee receives in  
37 money, checks and other negotiable instruments shall be deposited in a committee's official  
38 depository account. Contributions shall not be accepted and expenditures shall not be made by a  
39 committee except by or through an official depository account and the committee treasurer, deputy  
40 treasurer or candidate. Contributions received by a committee shall not be commingled with any  
41 funds of an agent of the committee, a candidate or any other person, except that contributions from a

1 candidate of the candidate's own funds to the person's candidate committee shall be deposited to an  
2 official depository account of the person's candidate committee. No expenditure shall be made by a  
3 committee when the office of committee treasurer is vacant except that when the office of a  
4 candidate committee treasurer is vacant, the candidate shall be the treasurer until the candidate  
5 appoints a new treasurer.

6 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a  
7 committee's official depository account and deposit such funds in one or more savings accounts in  
8 the committee's name in any bank, savings and loan association or credit union within this state, and  
9 may also withdraw funds from an official depository account for investment in the committee's name  
10 in any certificate of deposit, bond or security. Proceeds from interest or dividends from a savings  
11 account or other investment or proceeds from withdrawals from a savings account or from the sale of  
12 an investment shall not be expended or reinvested, except in the case of renewals of certificates of  
13 deposit, without first redepositing such proceeds in an official depository account. Investments,  
14 other than savings accounts, held outside the committee's official depository account at any time  
15 during a reporting period shall be disclosed by description, amount, any identifying numbers and the  
16 name and address of any institution or person in which or through which it is held in an attachment  
17 to disclosure reports the committee is required to file. Proceeds from an investment such as interest  
18 or dividends or proceeds from its sale, shall be reported by date and amount. In the case of the sale  
19 of an investment, the names and addresses of the persons involved in the transaction shall also be  
20 stated. Funds held in savings accounts and investments, including interest earned, shall be included  
21 in the report of money on hand as required by section 130.041.

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

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

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

36 (3) The name, mailing address and telephone number of the committee treasurer, and the  
37 name, mailing address and telephone number of its deputy treasurer if the committee has named a  
38 deputy treasurer;

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

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

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

4 (7) Identification of the major nature of the committee such as a candidate committee,  
5 campaign committee, [continuing] political action committee, political party committee, incumbent  
6 committee, or any other committee according to the definition of committee in section 130.011;

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

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

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

14 6. A committee may omit the information required in subdivisions (9) and (10) of subsection  
15 5 of this section if, on the date on which it is required to file a statement of organization, the  
16 committee has not yet determined the particular candidates or particular ballot measures it will  
17 support or oppose.

18 7. A committee which has filed a statement of organization and has not terminated shall not  
19 be required to file another statement of organization, except that when there is a change in any of the  
20 information previously reported as required by subdivisions (1) to (8) of subsection 5 of this section  
21 an amended statement of organization shall be filed within twenty days after the change occurs, but  
22 no later than the date of the filing of the next report required to be filed by that committee by section  
23 130.046.

24 8. Upon termination of a committee, a termination statement indicating dissolution shall be  
25 filed not later than ten days after the date of dissolution with the appropriate officer or officers with  
26 whom the committee's statement of organization was filed. The termination statement shall include:  
27 the distribution made of any remaining surplus funds and the disposition of any deficits; and the  
28 name, mailing address and telephone number of the individual responsible for preserving the  
29 committee's records and accounts as required in section 130.036.

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

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

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

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

41 11. If a committee domiciled in this state receives a contribution of one thousand five



1 hundred dollars or more from any committee domiciled outside of this state, the committee  
2 domiciled in this state shall file a disclosure report with the commission. The report shall disclose  
3 the full name, mailing address, telephone numbers and domicile of the contributing committee and  
4 the date and amount of the contribution. The report shall be filed within forty-eight hours of the  
5 receipt of such contribution if the contribution is received after the last reporting date before the  
6 election.

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

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

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

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

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

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

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

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

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

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

46 3. The appropriate officer or officers for candidate committees and campaign  
47 committees shall be the same as designated in subsection 2 of this section for

1 the candidates or ballot measures supported or opposed as indicated in the  
2 statement of organization required to be filed by any such committee.

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

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

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

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

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

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

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

27 130.026. 1. For the purpose of this section, the term "election authority" or "local election  
28 authority" means the county clerk, except that in a city or county having a board of election  
29 commissioners the board of election commissioners shall be the election authority. For any political  
30 subdivision or other district which is situated within the jurisdiction of more than one election  
31 authority, as defined herein, the election authority is the one in whose jurisdiction the candidate  
32 resides or, in the case of ballot measures, the one in whose jurisdiction the most populous portion of  
33 the political subdivision or district for which an election is held is situated, except that a county clerk  
34 or a county board of election commissioners shall be the election authority for all candidates for  
35 elective county offices other than county clerk and for any countywide ballot measures.

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

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

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

44 (3) In the case of candidates for elective municipal offices in municipalities of more than one  
45 hundred thousand inhabitants and elective county offices in counties of more than one hundred

1 thousand inhabitants, the appropriate officers shall be the Missouri ethics commission and the  
2 election authority of the municipality or county in which the candidate seeks office;

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

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

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

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

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

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

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

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

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

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

24 (2) If the committee makes or anticipates making expenditures other than direct  
25 contributions which aggregate more than five hundred dollars to support or oppose one or more  
26 candidates or ballot measures in the same political subdivision or district for which the appropriate  
27 officer is an election authority other than the one for the county in which the committee is domiciled,  
28 the appropriate officers for that committee shall include such other election authority or authorities,  
29 except that committees covered by this subsection need not file statements required by section  
30 130.021 and reports required by subsections 6, 7 and 8 of section 130.046 with any appropriate  
31 officer other than those set forth in subdivision (1) of this subsection.

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

35 130.028. 1. Every person, labor organization, or corporation organized or existing by virtue  
36 of the laws of this state, or doing business in this state who shall:

37 (1) Discriminate or threaten to discriminate against any member in this state with respect to  
38 [his or her] the member's membership, or discharge or discriminate or threaten to discriminate  
39 against any employee in this state, with respect to [his or her] the employee's compensation, terms,  
40 conditions or privileges of employment by reason of [his] the employee's political beliefs or  
41 opinions; or

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

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

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

7 (5) Discriminate or threaten to discriminate against any member or employee in this state for  
8 contributing or refusing to contribute to any candidate, political committee or separate political fund  
9 with respect to the privileges of membership or with respect to [his] such member's or employee's  
10 employment and the compensation, terms, conditions or privileges related thereto shall be guilty of a  
11 class E felony.

12 2. No employer, corporation, [continuing] political action committee, or labor organization  
13 shall receive or cause to be made contributions from its members or employees except on the  
14 advance voluntary permission of the members or employees. Violation of this section by the  
15 corporation, employer, [continuing] political action committee or labor organization shall be a class  
16 A misdemeanor.

17 3. An employer shall, upon written request by ten or more employees, provide its employees  
18 with the option of contributing to a [continuing] political action committee [as defined in section  
19 130.011] through payroll deduction, if the employer has a system of payroll deduction. No  
20 contribution to a [continuing] political action committee from an employee through payroll  
21 deduction shall be made other than to a [continuing] political action committee voluntarily chosen by  
22 the employee. Violation of this section shall be a class A misdemeanor.

23 4. Any person aggrieved by any act prohibited by this section shall, in addition to any other  
24 remedy provided by law, be entitled to maintain within one year from the date of the prohibited act, a  
25 civil action in the courts of this state, and if successful, [he or she] such person shall be awarded civil  
26 damages of not less than one hundred dollars and not more than one thousand dollars, together with  
27 [his or her] such person's costs, including reasonable attorney's fees. Each violation shall be a  
28 separate cause of action.

29 130.028. 1. Every person, labor organization, or corporation organized or existing by virtue  
30 of the laws of this state, or doing business in this state who shall:

31 (1) Discriminate or threaten to discriminate against any member in this state with respect to  
32 [his] the member's membership, or discharge or discriminate or threaten to discriminate against any  
33 employee in this state, with respect to [his] the employee's compensation, terms, conditions or  
34 privileges of employment by reason of [his] the employee's political beliefs or opinions; or

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

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

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

41 (5) Discriminate or threaten to discriminate against any member or employee in this state for

1 contributing or refusing to contribute to any candidate, political committee or separate political fund  
2 with respect to the privileges of membership or with respect to [his] such member's or employee's  
3 employment and the compensation, terms, conditions or privileges related thereto shall be guilty of a  
4 misdemeanor, and upon conviction thereof be punished by a fine of not more than five thousand  
5 dollars and confinement for not more than six months, or both, provided, after January 1, 1979, the  
6 violation of this subsection shall be a class D felony.

7 2. No employer, corporation, [continuing] political action committee, or labor organization  
8 shall receive or cause to be made contributions from its members or employees except on the  
9 advance voluntary permission of the members or employees. Violation of this section by the  
10 corporation, employer, [continuing] political action committee or labor organization shall be a class  
11 A misdemeanor.

12 3. An employer shall, upon written request by ten or more employees, provide its employees  
13 with the option of contributing to a [continuing] political action committee [as defined in section  
14 130.011] through payroll deduction, if the employer has a system of payroll deduction. No  
15 contribution to a [continuing] political action committee from an employee through payroll  
16 deduction shall be made other than to a [continuing] political action committee voluntarily chosen by  
17 the employee. Violation of this section shall be a class A misdemeanor.

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

24 130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall be  
25 made by or accepted from any single contributor for any election by a [continuing] political action  
26 committee, a campaign committee, a political party committee, an exploratory committee or a  
27 candidate committee.

28 2. Except for expenditures from a petty cash fund which is established and maintained by  
29 withdrawals of funds from the committee's depository account and with records maintained pursuant  
30 to the record-keeping requirements of section 130.036 to account for expenditures made from petty  
31 cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by  
32 check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer  
33 or candidate. A single expenditure from a petty cash fund shall not exceed fifty dollars, and the  
34 aggregate of all expenditures from a petty cash fund during a calendar year shall not exceed the  
35 lesser of five thousand dollars or ten percent of all expenditures made by the committee during that  
36 calendar year. A check made payable to "cash" shall not be made except to replenish a petty cash  
37 fund.

38 3. No contribution shall be made or accepted and no expenditure shall be made or incurred,  
39 directly or indirectly, in a fictitious name, in the name of another person, or by or through another  
40 person in such a manner as to conceal the identity of the actual source of the contribution or the  
41 actual recipient and purpose of the expenditure. Any person who receives contributions for a

1 committee shall disclose to that committee's treasurer, deputy treasurer or candidate the recipient's  
2 own name and address and the name and address of the actual source of each contribution such  
3 person has received for that committee. Any person who makes expenditures for a committee shall  
4 disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and  
5 address, the name and address of each person to whom an expenditure has been made and the  
6 amount and purpose of the expenditures the person has made for that committee.

7 4. No anonymous contribution of more than twenty-five dollars shall be made by any person,  
8 and no anonymous contribution of more than twenty-five dollars shall be accepted by any candidate  
9 or committee. If any anonymous contribution of more than twenty-five dollars is received, it shall  
10 be returned immediately to the contributor, if the contributor's identity can be ascertained, and if the  
11 contributor's identity cannot be ascertained, the candidate, committee treasurer or deputy treasurer  
12 shall immediately transmit that portion of the contribution which exceeds twenty-five dollars to the  
13 state treasurer and it shall escheat to the state.

14 5. The maximum aggregate amount of anonymous contributions which shall be accepted in  
15 any calendar year by any committee shall be the greater of five hundred dollars or one percent of the  
16 aggregate amount of all contributions received by that committee in the same calendar year. If any  
17 anonymous contribution is received which causes the aggregate total of anonymous contributions to  
18 exceed the foregoing limitation, it shall be returned immediately to the contributor, if the  
19 contributor's identity can be ascertained, and, if the contributor's identity cannot be ascertained, the  
20 committee treasurer, deputy treasurer or candidate shall immediately transmit the anonymous  
21 contribution to the state treasurer to escheat to the state.

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

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

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

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

35 (4) A statement describing the event shall be prepared by the candidate or the treasurer of the  
36 committee for whom the funds were raised or by the person responsible for conducting the activity  
37 or event and attached to the disclosure report of contributions and expenditures required by section  
38 130.041. The following information to be listed in the statement is in addition to, not in lieu of, the  
39 requirements elsewhere in this chapter relating to the recording and reporting of contributions and  
40 expenditures:

41 (a) The name and mailing address of the person or persons responsible for conducting the

1 event or activity and the name and address of the candidate or committee for whom the funds were  
2 raised;

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

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

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

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

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

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

14 7. No candidate or committee in this state shall accept contributions from any out-of-state  
15 committee unless the out-of-state committee from whom the contributions are received has filed a  
16 statement of organization pursuant to section 130.021 or has filed the reports required by sections  
17 130.049 and 130.050, whichever is applicable to that committee.

18 8. Any person publishing, circulating, or distributing any printed matter relative to any  
19 candidate for public office or any ballot measure shall on the face of the printed matter identify in a  
20 clear and conspicuous manner the person who paid for the printed matter with the words "Paid for  
21 by" followed by the proper identification of the sponsor pursuant to this section. If paid for by a  
22 committee, such identification shall also include the names of the individuals or entities whose total  
23 amount of contributions are such that they are the three top contributors to such committee. For the  
24 purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill,  
25 sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign,  
26 including signs for display on motor vehicles, or other imprinted or lettered material; but "printed  
27 matter" is defined to exclude materials printed and purchased prior to May 20, 1982, if the candidate  
28 or committee can document that delivery took place prior to May 20, 1982; any sign personally  
29 printed and constructed by an individual without compensation from any other person and displayed  
30 at that individual's place of residence or on that individual's personal motor vehicle; any items of  
31 personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches,  
32 campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a  
33 candidate or supports or opposes a ballot measure and which is obvious in its identification with a  
34 specific candidate or committee and is reported as required by this chapter; and any news story,  
35 commentary, or editorial printed by a regularly published newspaper or other periodical without  
36 charge to a candidate, committee or any other person.

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

40 (2) In regard to any printed matter paid for by a committee, it shall be sufficient  
41 identification to print the name of the committee as required to be registered by subsection 5 of

1 section 130.021 and the name and title of the committee treasurer who was serving when the printed  
2 matter was paid for.

3 (3) In regard to any printed matter paid for by a corporation or other business entity, labor  
4 organization, or any other organization not defined to be a committee by [subdivision (7) of] section  
5 130.011 and not organized especially for influencing one or more elections, it shall be sufficient  
6 identification to print the name of the entity, the name of the principal officer of the entity, by  
7 whatever title known, and the mailing address of the entity, or if the entity has no mailing address,  
8 the mailing address of the principal officer.

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

18 9. Any broadcast station transmitting any matter relative to any candidate for public office or  
19 ballot measure as defined by this chapter shall identify the sponsor of such matter as required by  
20 federal law and, if paid for by any candidate committee or campaign committee associated with such  
21 candidate or ballot measure, such identification shall also include the name of such committee  
22 treasurer and the names of the individuals or entities whose total amount of contributions are such  
23 that they are the three top contributors to such committee.

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

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

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

36 13. The identification requirements in subsections 8 and 9 of this section shall apply to every  
37 matter relative to any candidate for public office or ballot measure that is transmitted in an electronic  
38 format, including materials transmitted over the internet, by email, or by any other electronic means.

39 [130.041. 1. Except as provided in subsection 5 of section 130.016, the  
40 candidate, if applicable, treasurer or deputy treasurer of every committee  
41 which is required to file a statement of organization, shall file a legibly printed



1 or typed disclosure report of receipts and expenditures. The reports shall be  
2 filed with the appropriate officer designated in section 130.026 at the times  
3 and for the periods prescribed in section 130.046. Except as provided in  
4 sections 130.049 and 130.050, each report shall set forth:

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

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

12 (3) Receipts for the period, including:

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

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

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

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

31 (e) A separate listing by name and address and employer, or occupation if  
32 self-employed or notation of retirement, of each person from whom the  
33 committee received contributions, in money or any other thing of value,  
34 aggregating more than one hundred dollars, together with the date and amount  
35 of each such contribution;

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

41 (4) Expenditures for the period, including:

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

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

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

46 (d) The full name and mailing address of each person to whom an  
47 expenditure of money or any other thing of value in the amount of more than  
48 one hundred dollars has been made, contracted for or incurred, together with

1 the date, amount and purpose of each expenditure. Expenditures of one  
2 hundred dollars or less may be grouped and listed by categories of expenditure  
3 showing the total dollar amount of expenditures in each category, except that  
4 the report shall contain an itemized listing of each payment made to campaign  
5 workers by name, address, date, amount and purpose of each payment and the  
6 aggregate amount paid to each such worker;

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

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

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

14 (7) The amount of expenditures for or against a candidate or ballot measure  
15 during the period covered and the cumulative amount of expenditures for or  
16 against that candidate or ballot measure, with each candidate being listed by  
17 name, mailing address and office sought. For the purpose of disclosure  
18 reports, expenditures made in support of more than one candidate or ballot  
19 measure or both shall be apportioned reasonably among the candidates or  
20 ballot measure or both. In apportioning expenditures to each candidate or  
21 ballot measure, political party committees and political action committees  
22 need not include expenditures for maintaining a permanent office, such as  
23 expenditures for salaries of regular staff, office facilities and equipment or  
24 other expenditures not designed to support or oppose any particular candidates  
25 or ballot measures; however, all such expenditures shall be listed pursuant to  
26 subdivision (4) of this subsection;

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

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

37 (10) Each committee that receives a contribution which is restricted or  
38 designated in whole or in part by the contributor for transfer to a particular  
39 candidate, committee or other person shall include a statement of the name  
40 and address of that contributor in the next disclosure report required to be  
41 filed after receipt of such contribution, together with the date and amount of  
42 any such contribution which was so restricted or designated by that  
43 contributor, together with the name of the particular candidate or committee to  
44 whom such contribution was so designated or restricted by that contributor  
45 and the date and amount of such contribution.

46 2. For the purpose of this section and any other section in this chapter except  
47 sections 130.049 and 130.050 which requires a listing of each contributor who  
48 has contributed a specified amount, the aggregate amount shall be computed

1 by adding all contributions received from any one person during the following  
2 periods:

3 (1) In the case of a candidate committee, the period shall begin on the date on  
4 which the candidate became a candidate according to the definition of the  
5 term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the  
6 primary election, if the candidate has such an election or at 11:59 p.m. on the  
7 day of the general election. If the candidate has a general election held after a  
8 primary election, the next aggregating period shall begin at 12:00 midnight on  
9 the day after the primary election day and shall close at 11:59 p.m. on the day  
10 of the general election. Except that for contributions received during the  
11 thirty-day period immediately following a primary election, the candidate  
12 shall designate whether such contribution is received as a primary election  
13 contribution or a general election contribution;

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

17 (3) In the case of a political party committee or a political action  
18 committee, the period shall begin on the first day of January of the year in  
19 which the report or statement is being filed and end on the closing date for the  
20 period for which the report or statement is required; except, if the report or  
21 statement is required to be filed prior to the first day of July in any given year,  
22 the period shall begin on the first day of July of the preceding year.

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

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

36 130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if  
37 applicable, treasurer or deputy treasurer of every committee which is required to file a statement of  
38 organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The  
39 reports shall be filed with the appropriate officer designated in section 130.026 at the times and for  
40 the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each  
41 report shall set forth:

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

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

1 (3) Receipts for the period, including:

2 (a) Total amount of all monetary contributions received which can be identified in the  
3 committee's records by name and address of each contributor. In addition, the candidate committee  
4 shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or  
5 notation of retirement, of each person from whom the committee received one or more contributions  
6 which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to  
7 obtain and report a description of any contractual relationship over five hundred dollars between the  
8 contributor and the state if the candidate is seeking election to a state office or between the  
9 contributor and any political subdivision of the state if the candidate is seeking election to another  
10 political subdivision of the state;

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

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

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

17 (e) A separate listing by name and address and employer, or occupation if self-employed or  
18 notation of retirement, of each person from whom the committee received contributions, in money or  
19 any other thing of value, aggregating more than one hundred dollars, together with the date and  
20 amount of each such contribution;

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

25 (4) Expenditures for the period, including:

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

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

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

30 (d) The full name and mailing address of each person to whom an expenditure of money or  
31 any other thing of value in the amount of more than one hundred dollars has been made, contracted  
32 for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of  
33 one hundred dollars or less may be grouped and listed by categories of expenditure showing the total  
34 dollar amount of expenditures in each category, except that the report shall contain an itemized  
35 listing of each payment made to campaign workers by name, address, date, amount and purpose of  
36 each payment and the aggregate amount paid to each such worker;

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

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

41 (6) The total amount of outstanding indebtedness as of the closing date of the reporting

1 period covered;

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

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

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

20 (10) Each committee that receives a contribution which is restricted or designated in whole  
21 or in part by the contributor for transfer to a particular candidate, committee or other person shall  
22 include a statement of the name and address of that contributor in the next disclosure report required  
23 to be filed after receipt of such contribution, together with the date and amount of any such  
24 contribution which was so restricted or designated by that contributor, together with the name of the  
25 particular candidate or committee to whom such contribution was so designated or restricted by that  
26 contributor and the date and amount of such contribution.

27 2. For the purpose of this section and any other section in this chapter except sections  
28 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified  
29 amount, the aggregate amount shall be computed by adding all contributions received from any one  
30 person during the following periods:

31 (1) In the case of a candidate committee, the period shall begin on the date on which the  
32 candidate became a candidate according to the definition of the term "candidate" in section 130.011  
33 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at  
34 11:59 p.m. on the day of the general election. If the candidate has a general election held after a  
35 primary election, the next aggregating period shall begin at 12:00 midnight on the day after the  
36 primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for  
37 contributions received during the thirty-day period immediately following a primary election, the  
38 candidate shall designate whether such contribution is received as a primary election contribution or  
39 a general election contribution;

40 (2) In the case of a campaign committee, the period shall begin on the date the committee  
41 received its first contribution and end on the closing date for the period for which the report or

1 statement is required;

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

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

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

17 [130.046. 1. The disclosure reports required by section 130.041 for all  
18 committees shall be filed at the following times and for the following periods:

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

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

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

34 Notwithstanding the provisions of this subsection, if any committee accepts  
35 contributions or makes expenditures in support of or in opposition to a ballot  
36 measure or a candidate, and the report required by this subsection for the most  
37 recent calendar quarter is filed prior to the fortieth day before the election on  
38 the measure or candidate, the committee shall file an additional disclosure  
39 report not later than the fortieth day before the election for the period closing  
40 on the forty-fifth day before the election.

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

45 (1) In addition to the disclosure reports required to be filed pursuant to

1 subsection 1 of this section the treasurer of a committee, other than a political  
2 action committee, supporting or opposing a petition effort to qualify a  
3 measure to appear on the ballot or to remove an incumbent from office shall  
4 file an initial disclosure report fifteen days after the committee begins the  
5 process of raising or spending money. After such initial report, the committee  
6 shall file quarterly disclosure reports as required by subdivision (3) of  
7 subsection 1 of this section until such time as the reports required by  
8 subdivisions (1) and (2) of subsection 1 of this section are to be filed. In  
9 addition the committee shall file a second disclosure report no later than the  
10 fifteenth day after the deadline date for submitting such petition. The period  
11 covered in the initial report shall begin on the day the committee first accepted  
12 contributions or made expenditures to support or oppose the petition effort for  
13 qualification of the measure and shall close on the fifth day prior to the date of  
14 the report;

15 (2) If the measure has qualified to be on the ballot in an election and if a  
16 committee subject to the requirements of subdivision (1) of this subsection is  
17 also required to file a preelection disclosure report for such election any time  
18 within thirty days after the date on which disclosure reports are required to be  
19 filed in accordance with subdivision (1) of this subsection, the treasurer of  
20 such committee shall not be required to file the report required by subdivision  
21 (1) of this subsection, but shall include in the committee's preelection report  
22 all information which would otherwise have been required by subdivision (1)  
23 of this subsection.

24 3. The candidate, if applicable, treasurer or deputy treasurer of a committee  
25 shall file disclosure reports pursuant to this section, except for any calendar  
26 quarter in which the contributions received by the committee or the  
27 expenditures or contributions made by the committee do not exceed five  
28 hundred dollars. The reporting dates and periods covered for such quarterly  
29 reports shall not be later than the fifteenth day of January, April, July and  
30 October for periods closing on the thirty-first day of December, the thirty-first  
31 day of March, the thirtieth day of June and the thirtieth day of September. No  
32 candidate, treasurer or deputy treasurer shall be required to file the quarterly  
33 disclosure report required not later than the fifteenth day of any January  
34 immediately following a November election, provided that such candidate,  
35 treasurer or deputy treasurer shall file the information required on such  
36 quarterly report on the quarterly report to be filed not later than the fifteenth  
37 day of April immediately following such November election. Each report by  
38 such committee shall be cumulative from the date of the last report. In the  
39 case of the political action committee's first report, the report shall be  
40 cumulative from the date of the political action committee's organization.  
41 Every candidate, treasurer or deputy treasurer shall file, at a minimum, the  
42 campaign disclosure reports covering the quarter immediately preceding the  
43 date of the election and those required by subdivisions (1) and (2) of  
44 subsection 1 of this section. A political action committee shall submit  
45 additional reports if it makes aggregate expenditures, other than contributions  
46 to a committee, of five hundred dollars or more, within the reporting period at  
47 the following times for the following periods:

48 (1) Not later than the eighth day before an election for the period closing on

1 the twelfth day before the election;

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

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

7 4. The reports required to be filed no later than the thirtieth day after an  
8 election and any subsequently required report shall be cumulative so as to  
9 reflect the total receipts and disbursements of the reporting committee for the  
10 entire election campaign in question. The period covered by each disclosure  
11 report shall begin on the day after the closing date of the most recent  
12 disclosure report filed and end on the closing date for the period covered. If  
13 the committee has not previously filed a disclosure report, the period covered  
14 begins on the date the committee was formed; except that in the case of a  
15 candidate committee, the period covered begins on the date the candidate  
16 became a candidate according to the definition of the term candidate in section  
17 130.011.

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

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

23 (a) If there are less than fifty days between a primary election and the  
24 immediately succeeding general election, the disclosure report required to be  
25 filed quarterly; provided that, any other report required to be filed prior to the  
26 primary election and all other reports required to be filed not later than the  
27 eighth day before the general election are filed no later than the final dates for  
28 filing such reports;

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

35 (2) No disclosure report needs to be filed for any reporting period if during  
36 that reporting period the committee has neither received contributions  
37 aggregating more than five hundred dollars nor made expenditure aggregating  
38 more than five hundred dollars and has not received contributions aggregating  
39 more than three hundred dollars from any single contributor and if the  
40 committee's treasurer files a statement with the appropriate officer that the  
41 committee has not exceeded the identified thresholds in the reporting period.  
42 Any contributions received or expenditures made which are not reported  
43 because this statement is filed in lieu of a disclosure report shall be included in  
44 the next disclosure report filed by the committee. This statement shall not be  
45 filed in lieu of the report for two or more consecutive disclosure periods if  
46 either the contributions received or expenditures made in the aggregate during  
47 those reporting periods exceed five hundred dollars. This statement shall not  
48 be filed, in lieu of the report, later than the thirtieth day after an election if that



1 report would show a deficit of more than one thousand dollars.

2 6. (1) If the disclosure report required to be filed by a committee not later  
3 than the thirtieth day after an election shows a deficit of unpaid loans and  
4 other outstanding obligations in excess of five thousand dollars, semiannual  
5 supplemental disclosure reports shall be filed with the appropriate officer for  
6 each succeeding semiannual period until the deficit is reported in a disclosure  
7 report as being reduced to five thousand dollars or less; except that, a  
8 supplemental semiannual report shall not be required for any semiannual  
9 period which includes the closing date for the reporting period covered in any  
10 regular disclosure report which the committee is required to file in connection  
11 with an election. The reporting dates and periods covered for semiannual  
12 reports shall be not later than the fifteenth day of January and July for periods  
13 closing on the thirty-first day of December and the thirtieth day of June.

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

19 7. In the case of a committee which disbands and is required to file a  
20 termination statement pursuant to the provisions of section 130.021 with the  
21 appropriate officer not later than the tenth day after the committee was  
22 dissolved, the candidate, committee treasurer or deputy treasurer shall attach  
23 to the termination statement a complete disclosure report for the period  
24 closing on the date of dissolution. A committee shall not utilize the provisions  
25 of subsection 8 of section 130.021 or the provisions of this subsection to  
26 circumvent or otherwise avoid the reporting requirements of subsection 6 or 7  
27 of this section.

28 8. Disclosure reports shall be filed with the appropriate officer not later than  
29 5:00 p.m. prevailing local time of the day designated for the filing of the  
30 report and a report postmarked not later than midnight of the day previous to  
31 the day designated for filing the report shall be deemed to have been filed in a  
32 timely manner. The appropriate officer may establish a policy whereby  
33 disclosure reports may be filed by facsimile transmission.

34 9. Each candidate for the office of state representative, state senator, and for  
35 statewide elected office shall file all disclosure reports described in section  
36 130.041 electronically with the Missouri ethics commission. The Missouri  
37 ethics commission shall promulgate rules establishing the standard for  
38 electronic filings with the commission and shall propose such rules for the  
39 importation of files to the reporting program.

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

1           130.046. 1. The disclosure reports required by section 130.041 for all committees shall be  
2 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 day  
4 before the election if the committee has made any contribution or expenditure either in support or  
5 opposition to any candidate or ballot measure;

6           (2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth  
7 day after the election, if the committee has made any contribution or expenditure either in support of  
8 or opposition to any candidate or ballot measure; except that, a successful candidate who takes office  
9 prior to the twenty-fifth day after the election shall have complied with the report requirement of this  
10 subdivision if a disclosure report is filed by such candidate and any candidate committee under the  
11 candidate's control before such candidate takes office, and such report shall be for the period closing  
12 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 makes  
15 expenditures in support of or in opposition to a ballot measure or a candidate, and the report required  
16 by this subsection for the most recent calendar quarter is filed prior to the fortieth day before the  
17 election on the measure or candidate, the committee shall file an additional disclosure report not later  
18 than the fortieth day before the election for the period closing on the forty-fifth day before the  
19 election.

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

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

41           3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file

1 disclosure reports pursuant to this section, except for any calendar quarter in which the contributions  
2 received by the committee or the expenditures or contributions made by the committee do not exceed  
3 five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be  
4 later than the fifteenth day of January, April, July and October for periods closing on the thirty-first  
5 day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of  
6 September. No candidate, treasurer or deputy treasurer shall be required to file the quarterly  
7 disclosure report required not later than the fifteenth day of any January immediately following a  
8 November election, provided that such candidate, treasurer or deputy treasurer shall file the  
9 information required on such quarterly report on the quarterly report to be filed not later than the  
10 fifteenth day of April immediately following such November election. Each report by such  
11 committee shall be cumulative from the date of the last report. In the case of the [continuing]  
12 political action committee's first report, the report shall be cumulative from the date of the  
13 [continuing] political action committee's organization. Every candidate, treasurer or deputy treasurer  
14 shall file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding  
15 the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this section.  
16 A [continuing] political action committee shall submit additional reports if it makes aggregate  
17 expenditures, other than contributions to a committee, of five hundred dollars or more, within the  
18 reporting period at the following times for the following periods:

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

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

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

25 4. The reports required to be filed no later than the thirtieth day after an election and any  
26 subsequently required report shall be cumulative so as to reflect the total receipts and disbursements  
27 of the reporting committee for the entire election campaign in question. The period covered by each  
28 disclosure report shall begin on the day after the closing date of the most recent disclosure report  
29 filed and end on the closing date for the period covered. If the committee has not previously filed a  
30 disclosure report, the period covered begins on the date the committee was formed; except that in the  
31 case of a candidate committee, the period covered begins on the date the candidate became a  
32 candidate according to the definition of the term candidate in [section 130.011] this chapter.

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

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

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

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

6 (2) No disclosure report needs to be filed for any reporting period if during that reporting  
7 period the committee has neither received contributions aggregating more than five hundred dollars  
8 nor made [expenditure] expenditures aggregating more than five hundred dollars and has not  
9 received contributions aggregating more than three hundred dollars from any single contributor and  
10 if the committee's treasurer files a statement with the appropriate officer that the committee has not  
11 exceeded the identified thresholds in the reporting period. Any contributions received or  
12 expenditures made which are not reported because this statement is filed in lieu of a disclosure report  
13 shall be included in the next disclosure report filed by the committee. This statement shall not be  
14 filed in lieu of the report for two or more consecutive disclosure periods if either the contributions  
15 received or expenditures made in the aggregate during those reporting periods exceed five hundred  
16 dollars. This statement shall not be filed, in lieu of the report, later than the thirtieth day after an  
17 election if that report would show a deficit of more than one thousand dollars.

18 6. (1) If the disclosure report required to be filed by a committee not later than the thirtieth  
19 day after an election shows a deficit of unpaid loans and other outstanding obligations in excess of  
20 five thousand dollars, semiannual supplemental disclosure reports shall be filed with the appropriate  
21 officer for each succeeding semiannual period until the deficit is reported in a disclosure report as  
22 being reduced to five thousand dollars or less; except that, a supplemental semiannual report shall  
23 not be required for any semiannual period which includes the closing date for the reporting period  
24 covered in any regular disclosure report which the committee is required to file in connection with an  
25 election. The reporting dates and periods covered for semiannual reports shall be not later than the  
26 fifteenth day of January and July for periods closing on the thirty-first day of December and the  
27 thirtieth day of June.

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

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

39 8. Disclosure reports shall be filed with the appropriate officer not later than 5:00 p.m.  
40 prevailing local time of the day designated for the filing of the report and a report postmarked not  
41 later than midnight of the day previous to the day designated for filing the report shall be deemed to

1 have been filed in a timely manner. The appropriate officer may establish a policy whereby  
2 disclosure reports may be filed by facsimile transmission.

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

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

15 [130.057. 1. In order for candidates for election and public officials to more  
16 easily file reports required by law and to access information contained in such  
17 reports, and for the Missouri ethics commission to receive and store reports in  
18 an efficient and economical method, and for the general public and news  
19 media to access information contained in such reports, the commission shall  
20 establish and maintain an electronic reporting system pursuant to this section.

21 2. The ethics commission may establish for elections in 1996 and shall  
22 establish for elections and all required reporting beginning in 1998 and  
23 maintain thereafter a state campaign finance and financial interest disclosure  
24 electronic reporting system pursuant to this section for all candidates required  
25 to file. The system may be used for the collection, filing and dissemination of  
26 all reports, including monthly lobbying reports filed by law, and all reports  
27 filed with the commission pursuant to this chapter and chapter 105. The  
28 system may be established and used for all reports required to be filed for the  
29 primary and general elections in 1996 and all elections thereafter, except that  
30 the system may require maintenance of a paper backup system for the primary  
31 and general elections in 1996. The reports shall be maintained and secured in  
32 the electronic format by the commission.

33 3. When the commission determines that the electronic reporting system has  
34 been properly implemented, the commission shall certify to all candidates and  
35 committees required to file pursuant to this chapter that such electronic  
36 reporting system has been established and implemented. Beginning with the  
37 primary and general elections in 2000, or the next primary or general election  
38 in which the commission has made certification pursuant to this subsection,  
39 whichever is later, candidates and all other committees shall file reports by  
40 using either the electronic format prescribed by the commission or paper  
41 forms provided by the commission for that purpose. Political action  
42 committees shall file reports by electronic format prescribed by the  
43 commission, except political action committees which make contributions  
44 equal to or less than fifteen thousand dollars in the applicable calendar year.  
45 Any political action committee which makes contributions in support of or  
46 opposition to any measure or candidate equal to or less than fifteen thousand

1 dollars in the applicable calendar year shall file reports on paper forms  
2 provided by the commission for that purpose or by electronic format  
3 prescribed by the commission, whichever reporting method the political  
4 action committee chooses. The commission shall supply a computer program  
5 which shall be used for filing by modem or by a common magnetic media  
6 chosen by the commission. In the event that filings are performed  
7 electronically, the candidate shall file a signed original written copy within  
8 five working days; except that, if a means becomes available which will allow  
9 a verifiable electronic signature, the commission may also accept this in lieu  
10 of a written statement.

11 4. Beginning January 1, 2000, or on the date the commission makes the  
12 certification pursuant to subsection 3 of this section, whichever is later, all  
13 reports filed with the commission by any candidate for a statewide office, or  
14 such candidate's committee, shall be filed in electronic format as prescribed by  
15 the commission; provided however, that if a candidate for statewide office, or  
16 such candidate's committee receives or spends five thousand dollars or less for  
17 any reporting period, the report for that reporting period shall not be required  
18 to be filed electronically.

19 5. A copy of all reports filed in the state campaign finance electronic  
20 reporting system shall be placed on a public electronic access system so that  
21 the general public may have open access to the reports filed pursuant to this  
22 section. The access system shall be organized and maintained in such a  
23 manner to allow an individual to obtain information concerning all  
24 contributions made to or on behalf of, and all expenditures made on behalf of,  
25 any public official described in subsection 2 of this section in formats that will  
26 include both written and electronically readable formats.

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

33 7. Annually, the commission shall provide, without cost, a system-wide dump  
34 of information contained in the commission's electronic database files to the  
35 general assembly. The information is to be copied onto a medium specified  
36 by the general assembly. Such information shall not contain records otherwise  
37 closed by law. It is the intent of the general assembly to provide open access  
38 to the commission's records. The commission shall make every reasonable  
39 effort to comply with requests for information and shall take a liberal  
40 interpretation when considering such requests.]

41 130.057. 1. In order for candidates for election and public officials to more easily file  
42 reports required by law and to access information contained in such reports, and for the Missouri  
43 ethics commission to receive and store reports in an efficient and economical method, and for the  
44 general public and news media to access information contained in such reports, the commission shall  
45 establish and maintain an electronic reporting system pursuant to this section.

46 2. The ethics commission may establish for elections in 1996 and shall establish for elections  
47 and all required reporting beginning in 1998 and maintain thereafter a state campaign finance and

1 financial interest disclosure electronic reporting system pursuant to this section for all candidates  
2 required to file. The system may be used for the collection, filing and dissemination of all reports,  
3 including monthly lobbying reports filed by law, and all reports filed with the commission pursuant  
4 to this chapter and chapter 105. The system may be established and used for all reports required to  
5 be filed for [the primary and general elections in 1996 and] all elections [thereafter, except that the  
6 system may require maintenance of a paper backup system for the primary and general elections in  
7 1996]. The reports shall be maintained and secured in the electronic format by the commission.

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

27 4. Beginning January 1, 2000, or on the date the commission makes the certification  
28 pursuant to subsection 3 of this section, whichever is later, all reports filed with the commission by  
29 any candidate for a statewide office, or such candidate's committee, shall be filed in electronic  
30 format as prescribed by the commission; provided however, that if a candidate for statewide office,  
31 or such candidate's committee receives or spends five thousand dollars or less for any reporting  
32 period, the report for that reporting period shall not be required to be filed electronically.

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

39 6. All records that are in electronic format, not otherwise closed by law, shall be available in  
40 electronic format to the public. The commission shall maintain and provide for public inspection, a  
41 listing of all reports with a complete description for each field contained on the report, that has been

1 used to extract information from their database files. The commission shall develop a report or  
2 reports which contain every field in each database.

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

9 [226.033. Any commissioner appointed or reappointed after March 1, 2004,  
10 shall not:

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

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

15 226.033. Any commissioner appointed or reappointed after March 1, 2004, shall not:

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

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

20 Section B. The provisions of this act shall become effective on January 1, 2016."; and

21  
22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.