

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 2,
2 Section 105.450, Line 16, by inserting immediately after the word "proprietorship" the following:
3 "limited liability company"; and
4

5 Further amend said substitute, page, and section, Lines 25 and 26, by deleting said lines and inserting
6 in lieu thereof the following:

- 7 "percent of the outstanding shares of any class of stock or partnership units; [or]
- 8 (c) Any limited liability company; or
- 9 (d) Any trust in which the person is a trustee or settlor or in which the"; and

10
11 Further amend said substitute and section, Page 3, Lines 56-65, by deleting said lines and inserting in
12 lieu thereof the following:

13 "(8) "Political subdivision" shall include any political subdivision of the"; and
14

15 Further amend said substitute, page, and section, Line 67 by deleting all of said line and inserting in
16 lieu thereof the following:

17 "(9) "Public document", a state tax return or a document or other"; and
18

19 Further amend said substitute, page, and section, Line 70, by deleting all of said line and inserting in
20 lieu thereof the following:

21 "(10) "Substantial interest", ownership by the individual, the"; and
22

23 Further amend said substitute, page, and section, Line 78, by deleting all of said line and inserting in
24 lieu thereof the following:

25 "(11) "Substantial personal or private interest in any measure, bill,"; and
26

27 Further amend said substitute, Page 4, Section 105.453, Lines 6-14, by deleting said lines and
28 inserting in lieu thereof the following:

29 "2. No member of the general assembly or the governor, lieutenant governor, attorney
30 general, secretary of state, state treasurer, state auditor, or any person serving as director or
31 commissioner of any executive agency of the state shall act or serve as lobbyist, register as a
32 lobbyist, or solicit clients to represent as a lobbyist until the expiration of one year after the
33 conclusion of such individual's vacancy from such office.

34 3. For the purposes of this section, the following terms shall mean:

35 (1) "Candidate" or "candidate committee", the same meaning as such term is defined in
36 section 130.011;

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1 (2) "Lobbyist", the same meaning as such term is defined in section 105.470;

2 (3) "Paid political consultant", a person who is employed by a person, business, corporation,
 3 or organization and in the employee's regular course of employment, the employee receives
 4 compensation to promote the election of a certain candidate or the interest of an organization or
 5 committee, as defined in section 130.011, which shall include, but not be limited to, planning
 6 campaign strategies; coordinating campaign staff; organizing meetings and public events to publicize
 7 the candidate or cause; public opinion polling; providing research on issues or opposition
 8 background; coordinating, producing, or purchasing print or broadcast media; direct mail
 9 production; phone solicitation; fund raising; and any other political activities."; and

10
 11 Further amend said substitute, Page 18, Section 105.473, Line 156, by inserting immediately after
 12 said Line the following:

13 *"[105.485. 1. Each financial interest statement required by sections 105.483 to
 14 105.492 shall be on a form prescribed by the commission and shall be signed and verified by
 15 a written declaration that it is made under penalties of perjury; provided, however, the form
 16 shall not seek information which is not specifically required by sections 105.483 to 105.492.

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

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

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

45 (3) The name and address of any other source not reported pursuant to subdivisions
 46 (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one
 47 thousand dollars or more of income during the year covered by the statement, including, but
 48 not limited to, any income otherwise required to be reported on any tax return such person is

1 required by law to file; except that only the name of any publicly traded corporation or
2 limited partnership which is listed on a regulated stock exchange or automated quotation
3 system need be reported pursuant to this subdivision;

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

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

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

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

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

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

42 (a) Paid in the ordinary course of business for businesses described in subdivisions
43 (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official;
44 or

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

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

48 (d) Expenses which are reported by the campaign committee or candidate committee

1 of the person filing the statement pursuant to the provisions of chapter 130; or

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

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

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

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

14 (b) Is a lobbyist; or

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

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

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

22 3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an
23 individual shall be deemed to have received a salary from his employer or income from any
24 source at the time when he shall receive a negotiable instrument whether or not payable at a
25 later date and at the time when under the practice of his employer or the terms of an
26 agreement he has earned or is entitled to anything of actual value whether or not delivery of
27 the value is deferred or right to it has vested. The term income as used in this section shall
28 have the same meaning as provided in the Internal Revenue Code of 1986, and amendments
29 thereto, as the same may be or becomes effective, at any time or from time to time for the
30 taxable year, provided that income shall not be considered received or earned for purposes of
31 this section from a partnership or sole proprietorship until such income is converted from
32 business to personal use.

33 4. Each official, officer or employee or candidate of any political subdivision
34 described in subdivision (11) of section 105.483 shall be required to file a financial interest
35 statement as required by subsection 2 of this section, unless the political subdivision
36 biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth
37 of the preceding year, which establishes and makes public its own method of disclosing
38 potential conflicts of interest and substantial interests and therefore excludes the political
39 subdivision or district and its officers and employees from the requirements of subsection 2
40 of this section. A certified copy of the ordinance, order or resolution shall be sent to the
41 commission within ten days of its adoption. The commission shall assist any political
42 subdivision in developing forms to complete the requirements of this subsection. The
43 ordinance, order or resolution shall contain, at a minimum, the following requirements with
44 respect to disclosure of substantial interests:

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

47 (a) For such person, and all persons within the first degree of consanguinity or
48 affinity of such person, the date and the identities of the parties to each transaction with a

1 total value in excess of five hundred dollars, if any, that such person had with the political
2 subdivision, other than compensation received as an employee or payment of any tax, fee or
3 penalty due to the political subdivision, and other than transfers for no consideration to the
4 political subdivision;

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

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

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

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

20 105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall
21 be on a form prescribed by the commission and shall be signed and verified by a written declaration
22 that it is made under penalties of perjury; provided, however, the form shall not seek information
23 which is not specifically required by sections 105.483 to 105.492.

24 2. Each person required to file a financial interest statement pursuant to subdivisions (1) to
25 (12) of section 105.483 shall file the following information for himself, his spouse and dependent
26 children at any time during the period covered by the statement, whether singularly or collectively;
27 provided, however, that said person, if he does not know and his spouse will not divulge any
28 information required to be reported by this section concerning the financial interest of his spouse,
29 shall state on his financial interest statement that he has disclosed that information known to him and
30 that his spouse has refused or failed to provide other information upon his bona fide request, and
31 such statement shall be deemed to satisfy the requirements of this section for such financial interest
32 of his spouse; and provided further if the spouse of any person required to file a financial interest
33 statement is also required by section 105.483 to file a financial interest statement, the financial
34 interest statement filed by each need not disclose the financial interest of the other, provided that
35 each financial interest statement shall state that the spouse of the person has filed a separate financial
36 interest statement and the name under which the statement was filed:

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

39 (2) The name and address of each sole proprietorship which [he] the person owned; the
40 name, address, and the general nature of the business conducted of each limited liability company in
41 which the person has an interest; the name, address and the general nature of the business conducted
42 of each general partnership and joint venture in which [he] the person was a partner or participant;
43 the name and address of each partner or coparticipant for each partnership or joint venture unless
44 such names and addresses are filed by the partnership or joint venture with the secretary of state; the
45 name, address and general nature of the business conducted of any closely held corporation or
46 limited partnership in which the person owned ten percent or more of any class of the outstanding
47 stock or limited partners' units; and the name of any publicly traded corporation or limited
48 partnership which is listed on a regulated stock exchange or automated quotation system in which the

1 person owned two percent or more of any class of outstanding stock, limited partnership units or
2 other equity interests;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (b) Is a lobbyist; or

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

19 (12) The name and address of each campaign committee, political committee, candidate
20 committee, or continuing committee for which such person or any corporation listed on such person's
21 financial interest statement received payment; and

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

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

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

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

48 (a) For such person, and all persons within the first degree of consanguinity or affinity of

1 such person, the date and the identities of the parties to each transaction with a total value in excess
2 of five hundred dollars, if any, that such person had with the political subdivision, other than
3 compensation received as an employee or payment of any tax, fee or penalty due to the political
4 subdivision, and other than transfers for no consideration to the political subdivision;

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

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

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

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

19 105.487. The financial interest statements shall be filed at the following times[, but no
20 person is required to file more than one financial interest statement in any calendar year]:

21 (1) Each candidate for elective office, except those candidates for county committee of a
22 political party pursuant to section 115.609 or section 115.611, who is required to file a personal
23 financial disclosure statement shall file a financial interest statement no later than fourteen days after
24 the close of filing at which the candidate seeks nomination or election, and the statement shall be for
25 the twelve months prior to the closing date, except that in the event an individual does not become a
26 candidate until after the date of certification for candidates, the statement shall be filed within
27 fourteen days of the individual's nomination by caucus. An individual required to file a financial
28 interest statement because of the individual's candidacy for office prior to a primary election in
29 accordance with this section is also required to amend such statement no later than the close of
30 business on Monday prior to the general election to reflect any changes in financial interest during
31 the interim. The appropriate election authority shall provide to the candidate at the time of filing for
32 election written notice of the candidate's obligation to file pursuant to sections 105.483 to 105.492
33 and the candidate shall sign a statement acknowledging receipt of such notice;

34 (2) Each person appointed to office, except any person elected for county committee of a
35 political party pursuant to section 115.617, and each official or employee described in section
36 105.483 who is not otherwise covered in this subsection shall file the statement within thirty days of
37 such appointment or employment;

38 (3) Every other person required by sections 105.483 to 105.492 to file a financial interest
39 statement shall file the statement [annually] biannually not later than the [first] fifteenth day of [May
40 and] January for the statement that shall cover the [calendar year ending the immediately preceding]
41 period from July first to December thirty-first of the preceding year and not later than July fifteenth
42 for the statement that shall cover the period from January first to June thirtieth of the same calendar
43 year; provided that the governor, lieutenant governor, any member of the general assembly or any
44 member of the governing body of a political subdivision may supplement such person's financial
45 interest statement to report additional interests acquired after [December thirty-first of the covered
46 year until the date of] any deadline for filing of [the] a financial interest statement;

47 (4) The deadline for filing any statement required by sections 105.483 to 105.492 shall be
48 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls on a

1 Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00 p.m. on
2 the next day which is not a Saturday or Sunday or official holiday. Any statement required within a
3 specified time shall be deemed to be timely filed if it is postmarked not later than midnight of the day
4 [previous to the last day] designated for filing the statement."; and

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6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.

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