

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 704, Page 1, In the Title, Line 3, by deleting the words "public funds" and inserting
3 in lieu thereof the words "transparency in government"; and
4

5 Further amend said bill, Page 2, Section 37.851, Line 20, by inserting after all of said section and
6 line the following:
7

8 "105.470. As used in section 105.473, unless the context requires otherwise, the following
9 words and terms mean:

10 (1) "Elected local government official lobbyist", any natural person employed specifically
11 for the purpose of attempting to influence any action by a local government official elected in a
12 county, city, town, or village with an annual operating budget of over ten million dollars who makes
13 total expenditures of fifty dollars or more during the twelve-month period beginning January first
14 and ending December thirty-first for the benefit of one or more local government officials;

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

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

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

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

25 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
26 beginning January first and ending December thirty-first for the benefit of one or more public
27 officials or one or more employees of the executive branch of state government in connection with
28 such activity.
29

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

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

36 b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any

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1 public document, permit or contract, any application for any permit or license or certificate, or any
 2 document required or requested to be filed with the state or a political subdivision;

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

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

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

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

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

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

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

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

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

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

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

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

42 (f) The transfer of any item, provision of any service, or granting of any opportunity with a
 43 reasonably discernible cost or fair market value when such item, service, or opportunity is necessary
 44 for a public official or employee to perform his or her duty in his or her official capacity, including
 45 but not limited to entrance fees to any sporting event, museum, or other venue when the official or
 46 employee is participating in a ceremony, public presentation or official meeting therein;

47 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is
 48 bestowed upon or given to any public official or a staff member, employee, spouse or dependent

child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;

(h) Any plaque or award that signifies the honorary recognition of a service or other notable accomplishment not to exceed fifty dollars in value;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity,

1 religious organization, nonprofit corporation, association or other entity; or

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

6
7 A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person
8 unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any
9 member of the general assembly, an elected state official, or any other person solely due to such
10 person's participation in any of the following activities:

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

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

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

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

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

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

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

28 [105.473. 1. Each lobbyist shall, not later than January fifth of each year or
29 five days after beginning any activities as a lobbyist, file standardized
30 registration forms, verified by a written declaration that it is made under the
31 penalties of perjury, along with a filing fee of ten dollars, with the
32 commission. The forms shall include the lobbyist's name and business
33 address, the name and address of all persons such lobbyist employs for
34 lobbying purposes, the name and address of each lobbyist principal by whom
35 such lobbyist is employed or in whose interest such lobbyist appears or
36 works. The commission shall maintain files on all lobbyists' filings, which
37 shall be open to the public. Each lobbyist shall file an updating statement
38 under oath within one week of any addition, deletion, or change in the
39 lobbyist's employment or representation. The filing fee shall be deposited to
40 the general revenue fund of the state. The lobbyist principal or a lobbyist
41 employing another person for lobbying purposes may notify the commission
42 that a judicial, executive or legislative lobbyist is no longer authorized to
43 lobby for the principal or the lobbyist and should be removed from the
44 commission's files.

45 2. Each person shall, before giving testimony before any committee of the
46 general assembly, give to the secretary of such committee such person's name
47 and address and the identity of any lobbyist or organization, if any, on whose
48 behalf such person appears. A person who is not a lobbyist as defined in

1 section 105.470 shall not be required to give such person's address if the
2 committee determines that the giving of such address would endanger the
3 person's physical health.

4 3. (1) During any period of time in which a lobbyist continues to act as an
5 executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local
6 government official lobbyist, the lobbyist shall file with the commission on
7 standardized forms prescribed by the commission monthly reports which shall
8 be due at the close of business on the tenth day of the following month;

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

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

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

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

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

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

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

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

44 d. All members of a caucus of the majority party of the house of
45 representatives, minority party of the house of representatives, majority party
46 of the senate, or minority party of the senate;

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

1 (e) Any expenditure made on behalf of a public official, an elected local
2 government official or such official's staff, employees, spouse or dependent
3 children, if such expenditure is solicited by such official, the official's staff,
4 employees, or spouse or dependent children, from the lobbyist or his or her
5 lobbyist principals and the name of such person or persons, except any
6 expenditures made to any not-for-profit corporation, charitable, fraternal or
7 civic organization or other association formed to provide for good in the
8 order of benevolence and except for any expenditure reported under
9 paragraph (d) of this subdivision;

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

15 4. No expenditure reported pursuant to this section shall include any amount
16 expended by a lobbyist or lobbyist principal on himself or herself. All
17 expenditures disclosed pursuant to this section shall be valued on the report at
18 the actual amount of the payment made, or the charge, expense, cost, or
19 obligation, debt or bill incurred by the lobbyist or the person the lobbyist
20 represents. Whenever a lobbyist principal employs more than one lobbyist,
21 expenditures of the lobbyist principal shall not be reported by each lobbyist,
22 but shall be reported by one of such lobbyists. No expenditure shall be made
23 on behalf of a state senator or state representative, or such public official's
24 staff, employees, spouse, or dependent children for travel or lodging outside
25 the state of Missouri unless such travel or lodging was approved prior to the
26 date of the expenditure by the administration and accounts committee of the
27 house or the administration committee of the senate.

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

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

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

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

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

47 10. Any public official or other person whose name appears in any lobbyist
48 report filed pursuant to this section who contests the accuracy of the portion

1 of the report applicable to such person may petition the commission for an
2 audit of such report and shall state in writing in such petition the specific
3 disagreement with the contents of such report. The commission shall
4 investigate such allegations in the manner described in section 105.959. If
5 the commission determines that the contents of such report are incorrect,
6 incomplete or erroneous, it shall enter an order requiring filing of an amended
7 or corrected report.

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

19 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed,
20 or in whose behalf the lobbyist acted, shall provide a general description of
21 the proposed legislation or action by the executive branch or judicial branch
22 which the lobbyist or lobbyist principal supported or opposed. This
23 information shall be supplied to the commission on March fifteenth and May
24 thirtieth of each year.

25 13. The provisions of this section shall supersede any contradicting
26 ordinances or charter provisions.]

27 105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after
28 beginning any activities as a lobbyist, file standardized registration forms, verified by a written
29 declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with
30 the commission. The forms shall include the lobbyist's name and business address, the name and
31 address of all persons such lobbyist employs for lobbying purposes, the name and address of each
32 lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or
33 works. The commission shall maintain files on all lobbyists' filings, which shall be open to the
34 public. Each lobbyist shall file an updating statement under oath within one week of any addition,
35 deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited
36 to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another
37 person for lobbying purposes may notify the commission that a judicial, executive or legislative
38 lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed
39 from the commission's files.

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

45 3. (1) During any period of time in which a lobbyist continues to act as an executive
46 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the
47 lobbyist shall file with the commission on standardized forms prescribed by the commission
48 monthly reports which shall be due at the close of business on the tenth day of the following month;

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

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

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

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

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when [any] all of the following are invited seventy-two hours in advance using the same communication medium and in writing:

a. [All members of the senate;

b. All members of the house of representatives;

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

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate] All members of the general assembly, which may or may not include staff and employees under the direct supervision of a member of the general assembly; and

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

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

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

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such

1 public official's staff, employees, spouse, or dependent children for travel or lodging outside the
 2 state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by
 3 the administration and accounts committee of the house or the administration committee of the
 4 senate.

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

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

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

16 8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required
 17 pursuant to this section.

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

21 10. Any public official or other person whose name appears in any lobbyist report filed
 22 pursuant to this section who contests the accuracy of the portion of the report applicable to such
 23 person may petition the commission for an audit of such report and shall state in writing in such
 24 petition the specific disagreement with the contents of such report. The commission shall
 25 investigate such allegations in the manner described in section 105.959. If the commission
 26 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an
 27 order requiring filing of an amended or corrected report.

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

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

41 13. The provisions of this section shall supersede any contradicting ordinances or charter
 42 provisions.

43 14. Notwithstanding any provision of law to the contrary, no lobbyist principal or lobbyist
 44 or any other person acting on behalf of a lobbyist principal or lobbyist shall make any expenditure
 45 for any public official of the state, local government official or school district board member, his or
 46 her staff or employees, or his or her spouse or dependent children, except for expenditures reported
 47 under paragraph (d) of subdivision (2) of subsection 3 of this section.

48 [105.485. 1. Each financial interest statement required by sections 105.483

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

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

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

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

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

46 (4) The location by county, the subclassification for property tax assessment
47 purposes, the approximate size and a description of the major improvements
48 and use for each parcel of real property in the state, other than the individual's

1 personal residence, having a fair market value of ten thousand dollars or more
2 in which such person held a vested interest including a leasehold for a term of
3 ten years or longer, and, if the property was transferred during the year
4 covered by the statement, the name and address of the persons furnishing or
5 receiving consideration for such transfer;

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

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

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

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

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

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

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

48 (c) Paid by persons related by the third degree of consanguinity or

1 affinity to the person filing the statement; or

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

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

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

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

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

18 (b) Is a lobbyist; or

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

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

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

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

41 4. Each official, officer or employee or candidate of any political subdivision
42 described in subdivision (11) of section 105.483 shall be required to file a
43 financial interest statement as required by subsection 2 of this section, unless
44 the political subdivision biennially adopts an ordinance, order or resolution at
45 an open meeting by September fifteenth of the preceding year, which
46 establishes and makes public its own method of disclosing potential conflicts
47 of interest and substantial interests and therefore excludes the political
48 subdivision or district and its officers and employees from the requirements

of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

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

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

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

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

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

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

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

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

1 provided that each financial interest statement shall state that the spouse of the person has filed a
2 separate financial interest statement and the name under which the statement was filed:

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

5 (2) The name and address of each sole proprietorship which he owned; the name, address
6 and the general nature of the business conducted of each general partnership and joint venture in
7 which he was a partner or participant; the name and address of each partner or coparticipant for each
8 partnership or joint venture unless such names and addresses are filed by the partnership or joint
9 venture with the secretary of state; the name, address and general nature of the business conducted
10 of any closely held corporation or limited partnership in which the person owned ten percent or
11 more of any class of the outstanding stock or limited partners' units; and the name of any publicly
12 traded corporation or limited partnership which is listed on a regulated stock exchange or automated
13 quotation system in which the person owned two percent or more of any class of outstanding stock,
14 limited partnership units or other equity interests;

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

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

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

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

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

48 (8) The name and address of each source from which such person received a gift or gifts, or

1 honorarium or honoraria in excess of two hundred dollars in value per source during the year
 2 covered by the statement other than gifts from persons within the third degree of consanguinity or
 3 affinity of the person filing the financial interest statement. For the purposes of this section, a "gift"
 4 shall not be construed to mean political contributions otherwise required to be reported by law or
 5 hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or
 6 informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors
 7 of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of
 8 the individual to that creditor;

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

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

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

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

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

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

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

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

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

31 (b) Is a lobbyist; or

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

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

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

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

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

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

14 (a) For such person, and all persons within the first degree of consanguinity or affinity of
15 such person, the date and the identities of the parties to each transaction with a total value in excess
16 of [five] two hundred fifty dollars, if any, that such person had with the political subdivision, other
17 than compensation received as an employee or payment of any tax, fee or penalty due to the
18 political subdivision, and other than transfers for no consideration to the political subdivision;

19 (b) The date and the identities of the parties to each transaction known to the person with a
20 total value in excess of [five] two hundred fifty dollars, if any, that any business entity in which
21 such person had a substantial interest, had with the political subdivision, other than payment of any
22 tax, fee or penalty due to the political subdivision or transactions involving payment for providing
23 utility service to the political subdivision, and other than transfers for no consideration to the
24 political subdivision;

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

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

30 (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the
31 commission and the governing body of the political subdivision. The clerk of such governing body
32 shall maintain such disclosure reports available for public inspection and copying during normal
33 business hours."; and
34

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