

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

Offered By

1 AMEND House Bill No. 1983, Page 1, in the title, Lines 2 and 3, by deleting the phrase "paid  
2 political consultants" and inserting in lieu thereof the phrase "ethics"; and

3  
4 Further amend said bill, Pages 1-3, Section 105.450, Lines 1-71, by deleting all of said section and  
5 lines and inserting in lieu thereof the following:

6  
7 "105.450. As used in sections 105.450 to 105.496 and sections 105.955 to 105.963, unless  
8 the context clearly requires otherwise, the following terms mean:

9 (1) "Adversary proceeding", any proceeding in which a record of the proceedings may be  
10 kept and maintained as a public record at the request of either party by a court reporter, notary  
11 public or other person authorized to keep such record by law or by any rule or regulation of the  
12 agency conducting the hearing; or from which an appeal may be taken directly or indirectly, or any  
13 proceeding from the decision of which any party must be granted, on request, a hearing de novo; or  
14 any arbitration proceeding; or a proceeding of a personnel review board of a political subdivision;  
15 or an investigative proceeding initiated by an official, department, division, or agency which  
16 pertains to matters which, depending on the conclusion of the investigation, could lead to a judicial  
17 or administrative proceeding being initiated against the party by the official, department, division or  
18 agency;

19 (2) "Business entity", a corporation, association, firm, partnership, proprietorship, or  
20 business entity of any kind or character;

21 (3) "Business with which a person is associated":

22 (a) Any sole proprietorship owned by himself or herself, the person's spouse or any  
23 dependent child in the person's custody;

24 (b) Any partnership or joint venture in which the person or the person's spouse is a partner,  
25 other than as a limited partner of a limited partnership, and any corporation or limited partnership in  
26 which the person is an officer or director or of which either the person or the person's spouse or  
27 dependent child in the person's custody whether singularly or collectively owns in excess of ten  
28 percent of the outstanding shares of any class of stock or partnership units; or

29 (c) Any trust in which the person is a trustee or settlor or in which the person or the person's  
30 spouse or dependent child whether singularly or collectively is a beneficiary or holder of a  
31 reversionary interest of ten percent or more of the corpus of the trust;

32 (4) "Commission", the Missouri ethics commission established in section 105.955;

33 (5) "Confidential information", all information whether transmitted orally or in writing  
34 which is of such a nature that it is not, at that time, a matter of public record or public knowledge;

35 (6) "Decision-making public servant", an official, appointee or employee of the offices or  
36 entities delineated in paragraphs (a) through (h) of this subdivision who exercises supervisory

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1 authority over the negotiation of contracts, or has the legal authority to adopt or vote on the  
 2 adoption of rules and regulations with the force of law or exercises primary supervisory  
 3 responsibility over purchasing decisions. The following officials or entities shall be responsible for  
 4 designating a decision-making public servant:

5 (a) The governing body of the political subdivision with a general operating budget in  
 6 excess of one million dollars;

7 (b) A department director;

8 (c) A judge vested with judicial power by article V of the Constitution of the state of  
 9 Missouri;

10 (d) Any commission empowered by interstate compact;

11 (e) A statewide elected official;

12 (f) The speaker of the house of representatives;

13 (g) The president pro tem of the senate;

14 (h) The president or chancellor of a state institution of higher education;

15 (7) "Dependent child" or "dependent child in the person's custody", all children,  
 16 stepchildren, foster children and wards under the age of eighteen residing in the person's household  
 17 and who receive in excess of fifty percent of their support from the person;

18 (8) "Paid political consultant", a person who is paid to promote the election of a certain  
 19 candidate or the interest of an organization or committee, as defined in section 130.011, including,  
 20 but not limited to, planning campaign strategies; coordinating campaign staff; organizing meetings  
 21 and public events to publicize the candidate or cause; public opinion polling; providing research on  
 22 issues or opposition background; coordinating, producing, or purchasing print or broadcast media;  
 23 direct mail production; phone solicitation; fund raising; and any other political activities;

24 (9) "Political subdivision" shall include any political subdivision of the state, and any  
 25 special district or subdistrict;

26 [(9)] (10) "Public document", a state tax return or a document or other record maintained  
 27 for public inspection without limitation on the right of access to it and a document filed in a juvenile  
 28 court proceeding;

29 [(10)] (11) "Substantial interest", ownership by the individual, the individual's spouse, or  
 30 the individual's dependent children, whether singularly or collectively, directly or indirectly, of ten  
 31 percent or more of any business entity, or of an interest having a value of ten thousand dollars or  
 32 more, or the receipt by an individual, the individual's spouse or the individual's dependent children,  
 33 whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of  
 34 five thousand dollars, or more, per year from any individual, partnership, organization, or  
 35 association within any calendar year;

36 [(11)] (12) "Substantial personal or private interest in any measure, bill, order or  
 37 ordinance", any interest in a measure, bill, order or ordinance which results from a substantial  
 38 interest in a business entity.

39 105.453. 1. No statewide elected official or member of the general assembly or the paid  
 40 staff or employee of such official or member, or any state employee, shall accept or receive  
 41 compensation of any kind as a paid political consultant for another individual who is a candidate for  
 42 or who is holding a statewide elected office or the office of state representative or state senator, or  
 43 the candidate committee of such candidate or office holder.

44 2. For purposes of this section, the terms "candidate" and "candidate committee" shall have  
 45 the same meaning as in section 130.011 and the term "lobbyist" shall have the same meaning as in  
 46 section 105.470."; and

47  
 48 Further amend said bill by amending the title, enacting clause, and intersectional references

1 accordingly.