

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1452, Page 1, in the title, by removing the words "the filing of personal
2 financial disclosure reports" and inserting in lieu thereof the word "ethics"; and

3
4 Further amend said bill, Page 2, Section 105.487, Line 36, by inserting immediately after said line
5 the following:

6 *"[130.011. As used in this chapter, unless the context clearly indicates otherwise, the
7 following terms mean:

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

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

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

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

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

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

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

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

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

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

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

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

31 (9) "Committee", a person or any combination of persons, who accepts contributions
32 or makes expenditures for the primary or incidental purpose of influencing or
33 attempting to influence the action of voters for or against the nomination or election
34 to public office of one or more candidates or the qualification, passage or defeat of
35 any ballot measure or for the purpose of paying a previously incurred campaign debt
36 or obligation of a candidate or the debts or obligations of a committee or for the
37 purpose of contributing funds to another committee:

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

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

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

45 c. A corporation, cooperative association, partnership, proprietorship, or joint
46 venture organized or operated for a primary or principal purpose other than that of
47 influencing or attempting to influence the action of voters for or against the
48 nomination or election to public office of one or more candidates or the qualification,

1 passage or defeat of any ballot measure, and it accepts no contributions, and all
2 expenditures it makes are from its own funds or property obtained in the usual course
3 of business or in any commercial or other transaction and which are not contributions
4 as defined by subdivision (11) of this section;

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

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

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

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

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

35 (11) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
36 anything of value for the purpose of supporting or opposing the nomination or
37 election of any candidate for public office or the qualification, passage or defeat of
38 any ballot measure, or for the support of any committee supporting or opposing
39 candidates or ballot measures or for paying debts or obligations of any candidate or
40 committee previously incurred for the above purposes. A contribution of anything of
41 value shall be deemed to have a money value equivalent to the fair market value.

42 "Contribution" includes, but is not limited to:

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

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

48 (c) Receipts from the sale of goods and services, including the sale of advertising

1 space in a brochure, booklet, program or pamphlet of a candidate or committee and
2 the sale of tickets or political merchandise;

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

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

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

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

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

22 (i) "Contribution" does not include:

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

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

31 c. Interest earned on deposit of committee funds;

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

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

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

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

47 (15) "Expenditure", a payment, advance, conveyance, deposit, donation or
48 contribution of money or anything of value for the purpose of supporting or opposing

1 the nomination or election of any candidate for public office or the qualification or
2 passage of any ballot measure or for the support of any committee which in turn
3 supports or opposes any candidate or ballot measure or for the purpose of paying a
4 previously incurred campaign debt or obligation of a candidate or the debts or
5 obligations of a committee; a payment, or an agreement or promise to pay, money or
6 anything of value, including a candidate's own money or property, for the purchase
7 of goods, services, property, facilities or anything of value for the purpose of
8 supporting or opposing the nomination or election of any candidate for public office
9 or the qualification or passage of any ballot measure or for the support of any
10 committee which in turn supports or opposes any candidate or ballot measure or for
11 the purpose of paying a previously incurred campaign debt or obligation of a
12 candidate or the debts or obligations of a committee. An expenditure of anything of
13 value shall be deemed to have a money value equivalent to the fair market value.

14 "Expenditure" includes, but is not limited to:

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

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

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

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

26 (e) "Expenditure" does not include:

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

30 b. The internal dissemination by any membership organization, proprietorship, labor
31 organization, corporation, association or other entity of information advocating the
32 election or defeat of a candidate or candidates or the passage or defeat of a ballot
33 measure or measures to its directors, officers, members, employees or security
34 holders, provided that the cost incurred is reported pursuant to subsection 2 of section
35 130.051;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 that, if the election at which such individual is supported as a candidate is to take place within five
2 days after the person's learning of the above-specified activities, the individual shall file the
3 statement disavowing the candidacy within one day; or

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

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

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

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

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

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

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

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

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

31 d. A labor organization organized or operated for a primary or principal purpose other than
32 that of influencing or attempting to influence the action of voters for or against the nomination or
33 election to public office of one or more candidates, or the qualification, passage, or defeat of any
34 ballot measure, and it accepts no contributions, and expenditures made by the organization are from
35 its own funds or property received from membership dues or membership fees which were given or
36 solicited for the purpose of supporting the normal and usual activities and functions of the
37 organization and which are not contributions as defined by subdivision (12) of this section;

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

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

45 (b) The term "committee" includes, but is not limited to, each of the following committees:
46 campaign committee, candidate committee, continuing committee and political party committee;

47 (8) "Campaign committee", a committee, other than a candidate committee, which shall be
48 formed by an individual or group of individuals to receive contributions or make expenditures and

1 whose sole purpose is to support or oppose the qualification and passage of one or more particular
2 ballot measures in an election or the retention of judges under the nonpartisan court plan, such
3 committee shall be formed no later than thirty days prior to the election for which the committee
4 receives contributions or makes expenditures, and which shall terminate the later of either thirty
5 days after the general election or upon the satisfaction of all committee debt after the general
6 election, except that no committee retiring debt shall engage in any other activities in support of a
7 measure for which the committee was formed;

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

19 (10) "Continuing committee", a committee of continuing existence which is not formed,
20 controlled or directed by a candidate, and is a committee other than a candidate committee or
21 campaign committee, whose primary or incidental purpose is to receive contributions or make
22 expenditures to influence or attempt to influence the action of voters whether or not a particular
23 candidate or candidates or a particular ballot measure or measures to be supported or opposed has
24 been determined at the time the committee is required to file any statement or report pursuant to the
25 provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee
26 organized or sponsored by a business entity, a labor organization, a professional association, a trade
27 or business association, a club or other organization and whose primary purpose is to solicit, accept
28 and use contributions from the members, employees or stockholders of such entity and any
29 individual or group of individuals who accept and use contributions to influence or attempt to
30 influence the action of voters. Such committee shall be formed no later than sixty days prior to the
31 election for which the committee receives contributions or makes expenditures;

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

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

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

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

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

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

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

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

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

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

23 (i) "Contribution" does not include:

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

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

30 c. Interest earned on deposit of committee funds;

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

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

36 (14) "Covered communication":

37 (a) Paid advertisements broadcast over radio, television, cable, or satellite in this state;

38 (b) Paid placement of content on the internet or other electronic communication network
39 targeted to voters in this state;

40 (c) Paid advertisements published in a periodical or on a billboard in this state;

41 (d) Paid telephone communications to five hundred or more households in this state;

42 (e) Mailings sent or distributed through the United States Postal Service or similar private
43 mail carriers to two thousand or more recipients in this state; and

44 (f) Printed materials exceeding two thousand copies distributed in this state;

45 (15) "Covered organization", any organization that is exempt from taxation under Section
46 501(c)(4) of the Internal Revenue Code of 1986, as amended;

47 (16) "Disclosure report", an itemized report of receipts, expenditures and incurred
48 indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at

1 the times and places prescribed;

2 [(15)] (17) "Election", any primary, general or special election held to nominate or elect an
3 individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to
4 the voters, and any caucus or other meeting of a political party or a political party committee at
5 which that party's candidate or candidates for public office are officially selected. A primary
6 election and the succeeding general election shall be considered separate elections;

7 (18) "Electioneering activities":

8 (a) Any covered communication that influences or attempts to influence the action of voters
9 for or against the nomination or election to public office of one or more candidates or the
10 qualification, passage, or defeat of any ballot measure; and

11 (b) Any covered communication made within forty-five days of a primary election or ninety
12 days of a general election that:

13 a. Identifies or depicts a particular candidate by name but does not specifically call for his
14 or her election or defeat; or

15 b. Identifies or depicts a particular ballot measure by name or by its proposition or
16 amendment number but does not specifically call for its qualification, passage, or defeat;

17 [(16)] (19) "Expenditure", a payment, advance, conveyance, deposit, donation or
18 contribution of money or anything of value for the purpose of supporting or opposing the
19 nomination or election of any candidate for public office or the qualification or passage of any
20 ballot measure or for the support of any committee which in turn supports or opposes any candidate
21 or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of
22 a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to
23 pay, money or anything of value, including a candidate's own money or property, for the purchase of
24 goods, services, property, facilities or anything of value for the purpose of supporting or opposing
25 the nomination or election of any candidate for public office or the qualification or passage of any
26 ballot measure or for the support of any committee which in turn supports or opposes any candidate
27 or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of
28 a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be
29 deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is
30 not limited to:

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

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

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

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

41 (e) "Expenditure" does not include:

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

45 b. The internal dissemination by any membership organization, proprietorship, labor
46 organization, corporation, association or other entity of information advocating the election or
47 defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its
48 directors, officers, members, employees or security holders, provided that the cost incurred is

1 reported pursuant to subsection 2 of section 130.051;

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

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

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

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

14 [(17)] (20) "Exploratory committees", a committee which shall be formed by an individual
15 to receive contributions and make expenditures on behalf of this individual in determining whether
16 or not the individual seeks elective office.

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

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

23 [(19)] (22) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in
24 a form other than money;

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

29 [(21)] (24) "Loan", a transfer of money, property or anything of ascertainable monetary
30 value in exchange for an obligation, conditional or not, to repay in whole or in part and which was
31 contracted, used, or intended for use in an election campaign, or which was made or received by a
32 committee or which was contracted, used, or intended to pay previously incurred campaign debts or
33 obligations of a candidate or the debts or obligations of a committee;

34 [(22)] (25) "Person", an individual, group of individuals, corporation, partnership,
35 committee, proprietorship, joint venture, any department, agency, board, institution or other entity
36 of the state or any of its political subdivisions, union, labor organization, trade or professional or
37 business association, association, political party or any executive committee thereof, or any other
38 club or organization however constituted or any officer or employee of such entity acting in the
39 person's official capacity;

40 [(23)] (26) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
41 literature, or other items sold or distributed at a fund-raising event or to the general public for
42 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for
43 nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot
44 measure;

45 [(24)] (27) "Political party", a political party which has the right under law to have the
46 names of its candidates listed on the ballot in a general election;

47 [(25)] (28) "Political party committee", a state, district, county, city, or area committee of a
48 political party, as defined in section 115.603, which may be organized as a not-for-profit corporation

1 under Missouri law, and which committee is of continuing existence, and has the primary or
 2 incidental purpose of receiving contributions and making expenditures to influence or attempt to
 3 influence the action of voters on behalf of the political party;

4 [(26)] (29) "Public office" or "office", any state, judicial, county, municipal, school or other
 5 district, ward, township, or other political subdivision office or any political party office which is
 6 filled by a vote of registered voters;

7 [(27)] (30) "Regular session", includes that period beginning on the first Wednesday after
 8 the first Monday in January and ending following the first Friday after the second Monday in May;

9 [(28)] (31) "Write-in candidate", an individual whose name is not printed on the ballot but
 10 who otherwise meets the definition of candidate in subdivision (3) of this section.

11 130.062. 1. By January thirty-first of each year, any covered organization that made
 12 expenditures for the purpose of electioneering activities by means of a covered communication, or
 13 that made a contribution, including in-kind contributions, to a committee in the previous calendar
 14 year shall disclose in an electronic disclosure report to the ethics commission:

15 (1) All expenditures made for purposes of electioneering activities by means of a covered
 16 communication in the previous calendar year;

17 (2) All contributions, including in-kind contributions, to a committee in the previous
 18 calendar year;

19 (3) The percentage of its total expenditures from the previous calendar year for purposes of
 20 electioneering activities by means of a covered communication;

21 (4) The percentage of its total expenditures made from the previous calendar year for
 22 contributions, including in-kind contributions, to a committee during the previous calendar year;

23 (5) The name and address of each person or entity making any single donation over one
 24 thousand dollars, and each person or entity who has made, in the aggregate, donations over one
 25 thousand dollars to such organization during the previous calendar year; and

26 (6) The date and amount of each donation over one thousand dollars, or of any donation
 27 from a person who has made, in the aggregate, donations over one thousand dollars to such
 28 organization during the previous calendar year.

29
 30 Such information shall be a matter of public record that the ethics commission shall subsequently
 31 make available to the public.

32 2. Any organization required to file disclosure reports under subsection 1 of this section
 33 shall make such disclosures electronically.

34 3. (1) Any covered organization that makes expenditures in excess of five thousand dollars
 35 for the purpose of electioneering activities by means of a covered communication shall make an
 36 electronic disclosure report to the ethics commission within forty-eight hours of exceeding such
 37 limit. The report shall state specifically the expenditure amount, the person or entity receiving the
 38 expenditures, and the ballot measure or candidate such expenditure concerns. If a covered
 39 communication calls specifically for the passage, election, or defeat of a candidate or measure, the
 40 report shall indicate such information.

41 (2) Any covered organization that makes contributions, including in-kind contributions, of
 42 over five thousand dollars to a committee shall make an electronic disclosure report to the ethics
 43 commission within forty-eight hours of making such contribution. The report shall specifically state
 44 the contribution amount and the committee to which the contribution was made.

45 (3) Every electronic disclosure report required under this subsection shall include the date
 46 and amount of each donation, as well as the name, address, and employer, occupation if self-
 47 employed, or notation of retirement of each donor who has donated over five thousand dollars to the
 48 covered organization in the previous twelve-month period.

1 (4) The ethics commission shall assess fees on the board of directors of a covered
2 organization in the same manner as provided in section 105.963 for failure to file reports required
3 by this section."; and

4
5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.