

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to House Committee Bill No. 23, Page 1, Line 32, by
2 inserting after said Line the following:

3 "Further amend said bill, Page 26, Section 105.470, Line 58, by inserting after the phrase "of
4 consanguinity" the phrase "or affinity"; and

5
6 Further amend said bill and section, Page 26, Line 75 to Page 27, Line 80, by deleting all of said
7 lines and inserting in lieu thereof the following:

8
9 "~~[(f) The transfer of any item, provision of any service or granting of any opportunity with a~~
10 ~~reasonably discernible cost or fair market value when such item, service or opportunity is necessary~~
11 ~~for a public official or employee to perform his or her duty in his or her official capacity, including~~
12 ~~but not limited to entrance fees to any sporting event, museum, or other venue when the official or~~
13 ~~employee is participating in a ceremony, public presentation or official meeting therein;]~~"; and

14
15 Further amend said bill and section by renumbering subdivisions accordingly; and

16
17 Further amend said bill, Pages 32-35, Section 105.473 by removing all of said section from the bill
18 and inserting in lieu thereof the following:

19
20 "105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after
21 beginning any activities as a lobbyist, file standardized registration forms, verified by a written
22 declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with
23 the commission. The forms shall include the lobbyist's name and business address, the name and
24 address of all persons such lobbyist employs for lobbying purposes, the name and address of each
25 lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or
26 works; and, for elected local government official lobbyists, the local government official to be
27 lobbied. The commission shall maintain files on all lobbyists' filings, which shall be open to the
28 public. Each lobbyist shall file an updating statement under oath within one week of any addition,
29 deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited
30 to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another
31 person for lobbying purposes may notify the commission that a judicial, executive or legislative

Action Taken _____ Date _____

1 lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed
2 from the commission's files.

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

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

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

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

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

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

29 ~~(d) [The total of all expenditures made by a lobbyist or lobbyist principal for occasions and
30 the identity of the group invited, the date and description of the occasion and the amount of the
31 expenditure for each occasion when any of the following are invited in writing:~~

32 ~~—— a. All members of the senate;~~

33 ~~—— b. All members of the house of representatives;~~

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

36 ~~—— d. All members of a caucus of the majority party of the house of representatives, minority
37 party of the house of representatives, majority party of the senate, or minority party of the senate;~~

38 ~~—— (e)] Any expenditure made on behalf of a public official, an elected local government
39 official or such official's staff, employees, spouse or dependent children, if such expenditure is
40 solicited by such official, the official's staff, employees, or spouse or dependent children, from the~~

1 lobbyist or his or her lobbyist principals and the name of such person or persons, except any
2 expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or
3 other association formed to provide for good in the order of benevolence;

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

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

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

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

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

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

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

35 10. Any public official or other person whose name appears in any lobbyist report filed
36 pursuant to this section who contests the accuracy of the portion of the report applicable to such
37 person may petition the commission for an audit of such report and shall state in writing in such
38 petition the specific disagreement with the contents of such report. The commission shall
39 investigate such allegations in the manner described in section 105.959. If the commission
40 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an

1 order requiring filing of an amended or corrected report.

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

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

16 13. No lobbyist shall make any contribution to, or expenditure on behalf of, any candidate
17 committee formed by a candidate for statewide office, state representative, state senator, or local
18 government official, or any general assembly member's candidate committee for the purpose of
19 providing any food, entertainment, lodging, or travel, and such candidate committees shall be barred
20 from receiving such items. For purposes of this subsection, the term "expenditure" shall have the
21 same meaning given to the term in section 105.470, and the terms "candidate", "candidate
22 committee", and "contribution" shall have the same meanings given to the terms under section
23 130.011.

24 14. No lobbyist shall deliver any tangible or intangible item, service, or thing of value to
25 any statewide elected official, member of the general assembly, local government official, or such
26 person's staff, employees, spouse, or dependent children.

27 15. No lobbyist shall knowingly accept funds from any candidate committee, as defined
28 under section 130.011, as reimbursement for delivering any tangible or intangible item, service, or
29 thing of value to any statewide elected official or member of the general assembly, or such person's
30 staff, employees, spouse, or dependent children.

31 16. No member of the general assembly or the governor, lieutenant governor, attorney
32 general, secretary of state, state treasurer, state auditor, or local government official, or such
33 person's staff, employees, spouse, or dependent children, shall:

34 (1) Accept any tangible or intangible item, service, or thing of value from any lobbyist; or

35 (2) Use funds from any candidate committee, as defined under section 130.011, to
36 reimburse a lobbyist for delivering any tangible or intangible item, service, or thing of value to the
37 person.

38 17. The provisions of this section shall supersede any contradicting ordinances or charter
39 provisions."; and"; and

40

- 1 Further amend said bill by amending the title, enacting clause, and intersectional references
- 2 accordingly.
- 3
- 4 THIS AMENDS 6814H03.28H.