

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 1254**  
93RD GENERAL ASSEMBLY

---

Reported from the Committee on Financial and Governmental Organizations and Elections, March 13, 2006, with recommendation that the Senate Committee Substitute do pass.

5465S.04C

TERRY L. SPIELER, Secretary.

---

**AN ACT**

To repeal sections 105.470, 105.473, 130.032, and 130.046, RSMo, and to enact in lieu thereof four new sections relating to ethics, with an effective date.

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 105.470, 105.473, 130.032, and 130.046, RSMo, are  
2 repealed and four new sections enacted in lieu thereof, to be known as sections  
3 105.470, 105.473, 130.032, and 130.046, to read as follows:

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

3 (1) **"Elected local government official lobbyist", any natural**  
4 **person who acts for the purpose of attempting to influence any action**  
5 **by a local government official elected in a county, city, town, or village**  
6 **with an annual operating budget of over two million dollars and, in**  
7 **connection with such activity, meets the requirements of any one or**  
8 **more of the following:**

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

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

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

16 (d) **Makes total expenditures of fifty dollars or more during the**  
17 **twelve-month period beginning January first and ending December**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 **thirty-first for the benefit of one or more elected local government**  
19 **officials in connection with such activity;**

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

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

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

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

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

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

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

43 b. Preparing, filing or inquiring, or responding to any audit, regarding any  
44 tax return, any public document, permit or contract, any application for any  
45 permit or license or certificate, or any document required or requested to be filed  
46 with the state or a political subdivision;

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

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

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

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

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

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

65 **[(2)] (3)** "Expenditure", any payment made or charge, expense, cost, debt  
66 or bill incurred; any gift, honorarium or item of value bestowed including any food  
67 or beverage; any price, charge or fee which is waived, forgiven, reduced or  
68 indefinitely delayed; any loan or debt which is canceled, reduced or otherwise  
69 forgiven; the transfer of any item with a reasonably discernible cost or fair  
70 market value from one person to another or provision of any service or granting  
71 of any opportunity for which a charge is customarily made, without charge or for  
72 a reduced charge; except that the term "expenditure" shall not include the  
73 following:

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

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

80 (c) Contributions to the public official's campaign committee or candidate  
81 committee which are reported pursuant to the provisions of chapter 130, RSMo;

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

87 (e) Any item, service or thing of de minimis value offered to the general  
88 public, whether or not the recipient is a public official or a staff member,  
89 employee, spouse or dependent child of a public official, and only if the grant of

90 the item, service or thing of de minimis value is not motivated in any way by the  
91 recipient's status as a public official or staff member, employee, spouse or  
92 dependent child of a public official;

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

100 (g) Any payment, gift, compensation, fee, expenditure or anything of value  
101 which is bestowed upon or given to any public official or a staff member,  
102 employee, spouse or dependent child of a public official when it is compensation  
103 for employment or given as an employment benefit and when such employment  
104 is in addition to their employment as a public official;

105 ~~[(3)]~~ (4) "Judicial lobbyist", any natural person who acts for the purpose  
106 of attempting to influence any purchasing decision by the judicial branch of  
107 government or by any elected or appointed official or any employee thereof and  
108 in connection with such activity, meets the requirements of any one or more of the  
109 following:

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

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

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

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

125 A "judicial lobbyist" shall not include a member of the general assembly, an

126 elected state official, or any other person solely due to such person's participation  
127 in any of the following activities:

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

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

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

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

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

143       **[(4)] (5)** "Legislative lobbyist", any natural person who acts for the  
144 purpose of attempting to influence the taking, passage, amendment, delay or  
145 defeat of any official action on any bill, resolution, amendment, nomination,  
146 appointment, report or any other action or any other matter pending or proposed  
147 in a legislative committee in either house of the general assembly, or in any  
148 matter which may be the subject of action by the general assembly and in  
149 connection with such activity, meets the requirements of any one or more of the  
150 following:

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

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

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

160       (d) Makes total expenditures of fifty dollars or more during the  
161 twelve-month period beginning January first and ending December thirty-first for

162 the benefit of one or more public officials or one or more employees of the  
163 legislative branch of state government in connection with such activity.

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

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

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

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

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

179 [(5)] (6) "Lobbyist", any natural person defined as an executive lobbyist,  
180 judicial lobbyist or a legislative lobbyist;

181 [(6)] (7) "Lobbyist principal", any person, business entity, governmental  
182 entity, religious organization, nonprofit corporation or association who employs,  
183 contracts for pay or otherwise compensates a lobbyist;

184 [(7)] (8) "Public official", any member or member-elect of the general  
185 assembly, judge or judicial officer, or any other person holding an elective office  
186 of state government or any agency head, department director or division director  
187 of state government or any member of any state board or commission and any  
188 designated decision-making public servant designated by persons described in  
189 this subdivision.

105.473. 1. Each lobbyist shall, not later than five days after beginning  
2 any activities as a lobbyist, file standardized registration forms, verified by a  
3 written declaration that it is made under the penalties of perjury, along with a  
4 filing fee of ten dollars, with the commission. The forms shall include the  
5 lobbyist's name and business address, the name and address of all persons such  
6 lobbyist employs for lobbying purposes, the name and address of each lobbyist  
7 principal by whom such lobbyist is employed or in whose interest such lobbyist  
8 appears or works. The commission shall maintain files on all lobbyists' filings,

9 which shall be open to the public. Each lobbyist shall file an updating statement  
10 under oath within one week of any addition, deletion, or change in the lobbyist's  
11 employment or representation. The filing fee shall be deposited to the general  
12 revenue fund of the state. The lobbyist principal or a lobbyist employing another  
13 person for lobbying purposes may notify the commission that a judicial, executive  
14 or legislative lobbyist is no longer authorized to lobby for the principal or the  
15 lobbyist and should be removed from the commission's files.

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

22 3. (1) During any period of time in which a lobbyist continues to act as  
23 an executive lobbyist, judicial lobbyist [or a], legislative lobbyist, **or elected**  
24 **local government official lobbyist**, the lobbyist shall file with the commission  
25 on standardized forms prescribed by the commission monthly reports which shall  
26 be due at the close of business on the tenth day of the following month;

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

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

37 (b) **The total of all expenditures by the lobbyist or his or her**  
38 **lobbyist principals made on behalf of all elected local government**  
39 **officials, their staffs and employees, and their spouses and**  
40 **children. Such expenditures shall be separated into at least the**  
41 **following categories: printing and publication expenses, media and**  
42 **other advertising expenses, travel, entertainment, honoraria, meals,**  
43 **food and beverages, and gifts;**

44 (c) An itemized listing of the name of the recipient and the nature and

45 amount of each expenditure by the lobbyist or his or her lobbyist principal,  
46 including a service or anything of value, for all expenditures made during any  
47 reporting period, paid or provided to or for a public official **or elected local**  
48 **government official**, such official's staff, employees, spouse or dependent  
49 children;

50 [(c)] (d) The total of all expenditures made by a lobbyist or lobbyist  
51 principal for occasions and the identity of the group invited, the date and  
52 description of the occasion and the amount of the expenditure for each occasion  
53 when any of the following are invited in writing:

54 a. All members of the senate;

55 b. All members of the house of representatives;

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

58 d. All members of a caucus of the [general assembly if the caucus consists  
59 of at least ten members, a list of the members of the caucus has been previously  
60 filed with the ethics committee of the house or the senate, and such list has been  
61 approved by either of such ethics committees] **majority party of the house of**  
62 **representatives, minority party of the house of representatives,**  
63 **majority party of the senate, minority party of the senate;**

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

72 [(e)] (f) A statement detailing any direct business relationship or  
73 association or partnership the lobbyist has with any public official **or elected**  
74 **local government official.**

75 The reports required by this subdivision shall cover the time periods since the  
76 filing of the last report or since the lobbyist's employment or representation  
77 began, whichever is most recent.

78 4. No expenditure reported pursuant to this section shall include any  
79 amount expended by a lobbyist or lobbyist principal on himself or herself. All  
80 expenditures disclosed pursuant to this section shall be valued on the report at



81 the actual amount of the payment made, or the charge, expense, cost, or  
82 obligation, debt or bill incurred by the lobbyist or the person the lobbyist  
83 represents. Whenever a lobbyist principal employs more than one lobbyist,  
84 expenditures of the lobbyist principal shall not be reported by each lobbyist, but  
85 shall be reported by one of such lobbyists. **No expenditure shall be made on**  
86 **behalf of a public official, or the public official's staff, employees,**  
87 **spouse, or dependent children for travel or lodging either inside or**  
88 **outside the state of Missouri or for any tickets for any type of**  
89 **entertainment unless such travel, lodging, or entertainment was**  
90 **approved prior to the date of the expenditure by the administration**  
91 **committee of the house or senate.**

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

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

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

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

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

111         10. Any public official or other person whose name appears in any lobbyist  
112 report filed pursuant to this section who contests the accuracy of the portion of  
113 the report applicable to such person may petition the commission for an audit of  
114 such report and shall state in writing in such petition the specific disagreement  
115 with the contents of such report. The commission shall investigate such  
116 allegations in the manner described in section 105.959. If the commission

117 determines that the contents of such report are incorrect, incomplete or  
118 erroneous, it shall enter an order requiring filing of an amended or corrected  
119 report.

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

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

136           **13. The provisions of this section shall supersede any**  
137 **contradicting ordinances or charter provisions.**

130.032. 1. In addition to the limitations imposed pursuant to section  
2 130.031, the amount of contributions made by or accepted from any person other  
3 than the candidate in any one election shall not exceed the following:

4           (1) To elect an individual to the office of governor, lieutenant governor,  
5 secretary of state, state treasurer, state auditor or attorney general, one thousand  
6 dollars;

7           (2) To elect an individual to the office of state senator, five hundred  
8 dollars;

9           (3) To elect an individual to the office of state representative, two hundred  
10 fifty dollars;

11           (4) To elect an individual to any other office, including judicial office, if  
12 the population of the electoral district, ward, or other unit according to the latest  
13 decennial census is under one hundred thousand, two hundred fifty dollars;

14           (5) To elect an individual to any other office, including judicial office, if  
15 the population of the electoral district, ward, or other unit according to the latest

16 decennial census is at least one hundred thousand but less than two hundred fifty  
17 thousand, five hundred dollars; and

18 (6) To elect an individual to any other office, including judicial office, if  
19 the population of the electoral district, ward, or other unit according to the latest  
20 decennial census is at least two hundred fifty thousand, one thousand dollars.

21 2. For purposes of this subsection "base year amount" shall be the  
22 contribution limits prescribed in this section on January 1, 1995. Such limits  
23 shall be increased on the first day of January in each even-numbered year by  
24 multiplying the base year amount by the cumulative consumer price index, as  
25 defined in section 104.010, RSMo, and rounded to the nearest twenty-five-dollar  
26 amount, for all years since January 1, 1995.

27 3. Candidate committees, exploratory committees, campaign committees  
28 and continuing committees, other than those continuing committees which are  
29 political party committees, shall be subject to the limits prescribed in subsection  
30 1 of this section. The provisions of this subsection shall not limit the amount of  
31 contributions which may be accumulated by a candidate committee and used for  
32 expenditures to further the nomination or election of the candidate who controls  
33 such candidate committee, except as provided in section 130.052.

34 4. Except as limited by this subsection, the amount of cash contributions,  
35 and a separate amount for the amount of in-kind contributions, made by or  
36 accepted from a political party committee, **with the exception of legislative**  
37 **political party committees**, in any one election shall not exceed the following:

38 (1) To elect an individual to the office of governor, lieutenant governor,  
39 secretary of state, state treasurer, state auditor or attorney general, ten thousand  
40 dollars;

41 (2) To elect an individual to the office of state senator, five thousand  
42 dollars;

43 (3) To elect an individual to the office of state representative, two  
44 thousand five hundred dollars; and

45 (4) To elect an individual to any other office of an electoral district, ward  
46 or unit, ten times the allowable contribution limit for the office sought.

47 The amount of contributions which may be made by or accepted from a political  
48 party committee in the primary election to elect any candidate who is unopposed  
49 in such primary shall be fifty percent of the amount of the allowable contributions  
50 as determined in this subsection.

51 5. **Any legislative political party committee shall not make**

52 **contributions to any candidate for the Missouri house of**  
53 **representatives, Missouri senate, or a statewide elected office.**

54         **6.** Contributions from persons under fourteen years of age shall be  
55 considered made by the parents or guardians of such person and shall be  
56 attributed toward any contribution limits prescribed in this chapter. Where the  
57 contributor under fourteen years of age has two custodial parents or guardians,  
58 fifty percent of the contribution shall be attributed to each parent or guardian,  
59 and where such contributor has one custodial parent or guardian, all such  
60 contributions shall be attributed to the custodial parent or guardian.

61         **[6.] 7.** Contributions received and expenditures made prior to January  
62 1, 1995, shall be reported as a separate account and pursuant to the laws in effect  
63 at the time such contributions are received or expenditures made. Contributions  
64 received and expenditures made after January 1, 1995, shall be reported as a  
65 separate account from the aforementioned account and pursuant to the provisions  
66 of this chapter. The account reported pursuant to the prior law shall be retained  
67 as a separate account and any remaining funds in such account may be used  
68 pursuant to this chapter and section 130.034.

69         **[7.] 8.** Any committee which accepts or gives contributions other than  
70 those allowed shall be subject to a surcharge of one thousand dollars plus an  
71 amount equal to the contribution per nonallowable contribution, to be paid to the  
72 ethics commission and which shall be transferred to the director of revenue, upon  
73 notification of such nonallowable contribution by the ethics commission, and after  
74 the candidate has had ten business days after receipt of notice to return the  
75 contribution to the contributor. The candidate and the candidate committee  
76 treasurer or deputy treasurer owing a surcharge shall be personally liable for the  
77 payment of the surcharge or may pay such surcharge only from campaign funds  
78 existing on the date of the receipt of notice. Such surcharge shall constitute a  
79 debt to the state enforceable under, but not limited to, the provisions of chapter  
80 143, RSMo.

81         **9.** Any candidate for the house of representatives, senate, or a  
82 statewide elected office shall not accept any contributions from the  
83 first Wednesday after the first Monday in January through the thirtieth  
84 day of May of each year. Candidates for special election to the house  
85 of representatives, senate, or statewide elected office may accept  
86 contributions from the date of the candidate's nomination by his or her  
87 respective political party until thirty days after the date of the election.

130.046. 1. The disclosure reports required by section 130.041 for all  
2 committees shall be filed as follows: each candidate for state  
3 representative, state senate, or statewide elected office shall file the  
4 disclosure reports required by section 130.041 on the last day of each  
5 month for a period closing on the twenty-fifth day of the month during  
6 an election year and not later than the fifteenth day after the close of  
7 each calendar quarter in non-election years. All other committees and  
8 candidates shall file at the following times and for the following periods:

9 (1) Not later than the eighth day before an election for the period closing  
10 on the twelfth day before the election if the committee has made any contribution  
11 or expenditure either in support or opposition to any candidate or ballot measure;

12 (2) Not later than the thirtieth day after an election for a period closing  
13 on the twenty-fifth day after the election, if the committee has made any  
14 contribution or expenditure either in support of or opposition to any candidate or  
15 ballot measure; except that, a successful candidate who takes office prior to the  
16 twenty-fifth day after the election shall have complied with the report  
17 requirement of this subdivision if a disclosure report is filed by such candidate  
18 and any candidate committee under the candidate's control before such candidate  
19 takes office, and such report shall be for the period closing on the day before  
20 taking office; and

21 (3) Not later than the fifteenth day following the close of each calendar  
22 quarter.

23 Notwithstanding the provisions of this subsection, if any committee accepts  
24 contributions or makes expenditures in support of or in opposition to a ballot  
25 measure or a candidate, and the report required by this subsection for the most  
26 recent calendar quarter is filed prior to the fortieth day before the election on the  
27 measure or candidate, the committee shall file an additional disclosure report not  
28 later than the fortieth day before the election for the period closing on the  
29 forty-fifth day before the election.

30 2. In the case of a ballot measure to be qualified to be on the ballot by  
31 initiative petition or referendum petition, or a recall petition seeking to remove  
32 an incumbent from office, disclosure reports relating to the time for filing such  
33 petitions shall be made as follows:

34 (1) In addition to the disclosure reports required to be filed pursuant to  
35 subsection 1 of this section the treasurer of a committee, other than a continuing  
36 committee, supporting or opposing a petition effort to qualify a measure to appear

37 on the ballot or to remove an incumbent from office shall file an initial disclosure  
38 report fifteen days after the committee begins the process of raising or spending  
39 money. After such initial report, the committee shall file quarterly disclosure  
40 reports as required by subdivision (3) of subsection 1 of this section until such  
41 time as the reports required by subdivisions (1) and (2) of subsection 1 of this  
42 section are to be filed. In addition the committee shall file a second disclosure  
43 report no later than the fifteenth day after the deadline date for submitting such  
44 petition. The period covered in the initial report shall begin on the day the  
45 committee first accepted contributions or made expenditures to support or oppose  
46 the petition effort for qualification of the measure and shall close on the fifth day  
47 prior to the date of the report;

48 (2) If the measure has qualified to be on the ballot in an election and if  
49 a committee subject to the requirements of subdivision (1) of this subsection is  
50 also required to file a preelection disclosure report for such election any time  
51 within thirty days after the date on which disclosure reports are required to be  
52 filed in accordance with subdivision (1) of this subsection, the treasurer of such  
53 committee shall not be required to file the report required by subdivision (1) of  
54 this subsection, but shall include in the committee's preelection report all  
55 information which would otherwise have been required by subdivision (1) of this  
56 subsection.

57 3. The candidate, if applicable, treasurer or deputy treasurer of a  
58 committee shall file disclosure reports pursuant to this section, except for any  
59 calendar quarter in which the contributions received by the committee or the  
60 expenditures or contributions made by the committee do not exceed five hundred  
61 dollars. The reporting dates and periods covered for such quarterly reports shall  
62 not be later than the fifteenth day of January, April, July and October for periods  
63 closing on the thirty-first day of December, the thirty-first day of March, the  
64 thirtieth day of June and the thirtieth day of September. No candidate, treasurer  
65 or deputy treasurer shall be required to file the quarterly disclosure report  
66 required not later than the fifteenth day of any January immediately following  
67 a November election, provided that such candidate, treasurer or deputy treasurer  
68 shall file the information required on such quarterly report on the quarterly  
69 report to be filed not later than the fifteenth day of April immediately following  
70 such November election. Each report by such committee shall be cumulative from  
71 the date of the last report. In the case of the continuing committee's first report,  
72 the report shall be cumulative from the date of the continuing committee's

73 organization. Every candidate, treasurer or deputy treasurer shall file, at a  
74 minimum, the campaign disclosure reports covering the quarter immediately  
75 preceding the date of the election and those required by subdivisions (1) and (2)  
76 of subsection 1 of this section. A continuing committee shall submit additional  
77 reports if it makes aggregate expenditures, other than contributions to a  
78 committee, of five hundred dollars or more, within the reporting period at the  
79 following times for the following periods:

80 (1) Not later than the eighth day before an election for the period closing  
81 on the twelfth day before the election;

82 (2) Not later than forty-eight hours after aggregate expenditures of five  
83 hundred dollars or more are made after the twelfth day before the election; and

84 (3) Not later than the thirtieth day after an election for a period closing  
85 on the twenty-fifth day after the election.

86 4. The reports required to be filed no later than the thirtieth day after an  
87 election and any subsequently required report shall be cumulative so as to reflect  
88 the total receipts and disbursements of the reporting committee for the entire  
89 election campaign in question. The period covered by each disclosure report shall  
90 begin on the day after the closing date of the most recent disclosure report filed  
91 and end on the closing date for the period covered. If the committee has not  
92 previously filed a disclosure report, the period covered begins on the date the  
93 committee was formed; except that in the case of a candidate committee, the  
94 period covered begins on the date the candidate became a candidate according to  
95 the definition of the term candidate in section 130.011.

96 5. Notwithstanding any other provisions of this chapter to the contrary:

97 (1) Certain disclosure reports pertaining to any candidate who receives  
98 nomination in a primary election and thereby seeks election in the immediately  
99 succeeding general election shall not be required in the following cases:

100 (a) If there are less than fifty days between a primary election and the  
101 immediately succeeding general election, the disclosure report required to be filed  
102 quarterly; provided that, any other report required to be filed prior to the primary  
103 election and all other reports required to be filed not later than the eighth day  
104 before the general election are filed no later than the final dates for filing such  
105 reports;

106 (b) If there are less than eighty-five days between a primary election and  
107 the immediately succeeding general election, the disclosure report required to be  
108 filed not later than the thirtieth day after the primary election need not be filed;

109 provided that any report required to be filed prior to the primary election and any  
110 other report required to be filed prior to the general election are filed no later  
111 than the final dates for filing such reports; and

112 (2) No disclosure report needs to be filed for any reporting period if during  
113 that reporting period the committee has neither received contributions  
114 aggregating more than five hundred dollars nor made expenditure aggregating  
115 more than five hundred dollars and has not received contributions aggregating  
116 more than three hundred dollars from any single contributor and if the  
117 committee's treasurer files a statement with the appropriate officer that the  
118 committee has not exceeded the identified thresholds in the reporting  
119 period. Any contributions received or expenditures made which are not reported  
120 because this statement is filed in lieu of a disclosure report shall be included in  
121 the next disclosure report filed by the committee. This statement shall not be  
122 filed in lieu of the report for two or more consecutive disclosure periods if either  
123 the contributions received or expenditures made in the aggregate during those  
124 reporting periods exceed five hundred dollars. This statement shall not be filed,  
125 in lieu of the report, later than the thirtieth day after an election if that report  
126 would show a deficit of more than one thousand dollars.

127 6. (1) If the disclosure report required to be filed by a committee not later  
128 than the thirtieth day after an election shows a deficit of unpaid loans and other  
129 outstanding obligations in excess of five thousand dollars, semiannual  
130 supplemental disclosure reports shall be filed with the appropriate officer for each  
131 succeeding semiannual period until the deficit is reported in a disclosure report  
132 as being reduced to five thousand dollars or less; except that, a supplemental  
133 semiannual report shall not be required for any semiannual period which includes  
134 the closing date for the reporting period covered in any regular disclosure report  
135 which the committee is required to file in connection with an election. The  
136 reporting dates and periods covered for semiannual reports shall be not later than  
137 the fifteenth day of January and July for periods closing on the thirty-first day  
138 of December and the thirtieth day of June;

139 (2) Committees required to file reports pursuant to subsection 2 or 3 of  
140 this section which are not otherwise required to file disclosure reports for an  
141 election shall file semiannual reports as required by this subsection if their last  
142 required disclosure report shows a total of unpaid loans and other outstanding  
143 obligations in excess of five thousand dollars.

144 7. In the case of a committee which disbands and is required to file a



145 termination statement pursuant to the provisions of section 130.021 with the  
146 appropriate officer not later than the tenth day after the committee was  
147 dissolved, the candidate, committee treasurer or deputy treasurer shall attach to  
148 the termination statement a complete disclosure report for the period closing on  
149 the date of dissolution. A committee shall not utilize the provisions of subsection  
150 8 of section 130.021 or the provisions of this subsection to circumvent or  
151 otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

152       8. Disclosure reports shall be filed with the appropriate officer not later  
153 than 5:00 p.m. prevailing local time of the day designated for the filing of the  
154 report and a report postmarked not later than midnight of the day previous to the  
155 day designated for filing the report shall be deemed to have been filed in a timely  
156 manner. The appropriate officer may establish a policy whereby disclosure  
157 reports may be filed by facsimile transmission.

158       **9. Each candidate for the office of state representative, state**  
159 **senator, and for statewide elected office shall file all disclosure reports**  
160 **described in section 130.041 electronically with the Missouri ethics**  
161 **commission. The Missouri ethics commission will promulgate rules**  
162 **establishing the standard for use with electronic filings with the**  
163 **commission and will propose such rules for the importation of files to**  
164 **the reporting program.**

Section B. Section A of this act shall become effective January 1, 2007.

✓

Copy