

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

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INTRODUCED BY SENATOR SHIELDS.

Offered March 15, 2006.

Senate Substitute adopted, March 15, 2006.

Taken up for Perfection March 15, 2006. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

5465S.05P

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**AN ACT**

To repeal sections 105.470, 105.473, 105.485, 105.487, 105.957, 130.011, 130.032, and 130.046, RSMo, and to enact in lieu thereof twelve new sections relating to ethics, with an effective date.

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

Section A. Sections 105.470, 105.473, 105.485, 105.487, 105.957, 130.011, 2 130.032, and 130.046, RSMo, are repealed and twelve new sections enacted in lieu 3 thereof, to be known as sections 105.470, 105.473, 105.485, 105.487, 105.497, 4 105.957, 130.011, 130.032, 130.042, 130.046, 1, and 2 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;

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

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  
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 **and accounts committee of the house or the administration committee**  
92 **of the senate.**

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

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

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

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

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

112           10. Any public official or other person whose name appears in any lobbyist  
113 report filed pursuant to this section who contests the accuracy of the portion of  
114 the report applicable to such person may petition the commission for an audit of  
115 such report and shall state in writing in such petition the specific disagreement  
116 with the contents of such report. The commission shall investigate such  
117 allegations in the manner described in section 105.959. If the commission  
118 determines that the contents of such report are incorrect, incomplete or  
119 erroneous, it shall enter an order requiring filing of an amended or corrected  
120 report.

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

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

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

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

6           2. Each person required to file a financial interest statement pursuant to  
7 subdivisions (1) to (12) of section 105.483 shall file the following information for  
8 himself, his spouse and dependent children at any time during the period covered  
9 by the statement, whether singularly or collectively; provided, however, that said

10 person, if he does not know and his spouse will not divulge any information  
11 required to be reported by this section concerning the financial interest of his  
12 spouse, shall state on his financial interest statement that he has disclosed that  
13 information known to him and that his spouse has refused or failed to provide  
14 other information upon his bona fide request, and such statement shall be  
15 deemed to satisfy the requirements of this section for such financial interest of  
16 his spouse; and provided further if the spouse of any person required to file a  
17 financial interest statement is also required by section 105.483 to file a financial  
18 interest statement, the financial interest statement filed by each need not disclose  
19 the financial interest of the other, provided that each financial interest statement  
20 shall state that the spouse of the person has filed a separate financial interest  
21 statement and the name under which the statement was filed:

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

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

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

45 (4) The location by county, the subclassification for property tax

46 assessment purposes, the approximate size and a description of the major  
47 improvements and use for each parcel of real property in the state, other than the  
48 individual's personal residence, having a fair market value of ten thousand  
49 dollars or more in which such person held a vested interest including a leasehold  
50 for a term of ten years or longer, and, if the property was transferred during the  
51 year covered by the statement, the name and address of the persons furnishing  
52 or receiving consideration for such transfer;

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

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

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

75 (8) The name and address of each source from which such person received  
76 a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in  
77 value per source during the year covered by the statement other than gifts from  
78 persons within the third degree of consanguinity or affinity of the person filing  
79 the financial interest statement. For the purposes of this section, a gift shall not  
80 be construed to mean political contributions otherwise required to be reported by  
81 law or hospitality such as food, beverages or admissions to social, art, or sporting

82 events or the like, or informational material. For the purposes of this section, a  
83 gift shall include gifts to or by creditors of the individual for the purpose of  
84 canceling, reducing or otherwise forgiving the indebtedness of the individual to  
85 that creditor;

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

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

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

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

96 (d) Expenses which are reported by the campaign committee or candidate  
97 committee of the person filing the statement pursuant to the provisions of chapter  
98 130, RSMo; or

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

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

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

111 (a) Is employed by the state of Missouri, by a political subdivision of the  
112 state or special district, as defined in section 115.013, RSMo, of the state of  
113 Missouri;

114 (b) Is a lobbyist; or

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

116 **(12) The name and address of each campaign committee, political**  
117 **committee, candidate committee, or continuing committee for which**

118 **such person or any corporation listed on such person's financial**  
119 **interest statement received payment.**

120           3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this  
121 section, an individual shall be deemed to have received a salary from his  
122 employer or income from any source at the time when he shall receive a  
123 negotiable instrument whether or not payable at a later date and at the time  
124 when under the practice of his employer or the terms of an agreement, he has  
125 earned or is entitled to anything of actual value whether or not delivery of the  
126 value is deferred or right to it has vested. The term "income" as used in this  
127 section shall have the same meaning as provided in the Internal Revenue Code  
128 of 1986, and amendments thereto, as the same may be or becomes effective, at  
129 any time or from time to time for the taxable year, provided that income shall not  
130 be considered received or earned for purposes of this section from a partnership  
131 or sole proprietorship until such income is converted from business to personal  
132 use.

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

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

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

154 subdivision;

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

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

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

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

105.487. The financial interest statements shall be filed at the following  
2 times, but no person is required to file more than one financial interest statement  
3 in any calendar year:

4 (1) Each candidate for elective office, except those candidates for county  
5 committee of a political party pursuant to section 115.609, RSMo, or section  
6 115.611, RSMo, who is required to file a personal financial disclosure statement  
7 shall file a financial interest statement no later than fourteen days after the close  
8 of filing at which the candidate seeks nomination or election, and the statement  
9 shall be for the twelve months prior to the closing date, except that in the event  
10 an individual does not become a candidate until after the date of certification for  
11 candidates, the statement shall be filed within fourteen days of the individual's  
12 nomination by caucus. An individual required to file a financial interest  
13 statement because of the individual's candidacy for office prior to a primary  
14 election in accordance with this section is also required to amend such statement  
15 no later than the close of business on Monday prior to the general election to  
16 reflect any changes in financial interest during the interim. The appropriate  
17 election authority shall provide to the candidate at the time of filing for election  
18 written notice of the candidate's obligation to file pursuant to sections 105.483 to

19 105.492 and the candidate shall sign a statement acknowledging receipt of such  
20 notice;

21 (2) Each person appointed to office, except any person elected for county  
22 committee of a political party pursuant to section 115.617, RSMo, and each  
23 official or employee described in section 105.483 who is not otherwise covered in  
24 this subsection shall file the statement within thirty days of such appointment  
25 or employment;

26 (3) Every other person required by sections 105.483 to 105.492 to file a  
27 financial interest statement shall file the statement annually not later than the  
28 first day of May and the statement shall cover the calendar year ending the  
29 immediately preceding December thirty-first; provided that the governor,  
30 lieutenant governor, any member of the general assembly or any member of the  
31 governing body of a political subdivision may supplement such person's financial  
32 interest statement to report additional interests acquired after December  
33 thirty-first of the covered year until the date of filing of the financial interest  
34 statement;

35 (4) The deadline for filing any statement required by sections 105.483 to  
36 105.492 shall be 5:00 p.m. of the last day designated for filing the  
37 statement. When the last day of filing falls on a Saturday or Sunday or on an  
38 official state holiday, the deadline for filing is extended to 5:00 p.m. on the next  
39 day which is not a Saturday or Sunday or official holiday. Any statement  
40 required within a specified time shall be deemed to be timely filed if it is  
41 postmarked not later than midnight of the day previous to the last day designated  
42 for filing the statement.

43 (5) **Such financial interest statement filed with the Missouri**  
44 **ethics commission shall be filed electronically.**

**105.497. 1. Any member of the general assembly who seeks**  
2 **election only to the office of president pro tempore of the Missouri**  
3 **senate or the speaker of the Missouri house of representatives may**  
4 **establish a committee for such purpose. This committee may be in**  
5 **addition to any committee established by the member pursuant to the**  
6 **provisions of chapter 130, RSMo.**

7 **2. Each committee so established shall file disclosure reports**  
8 **setting forth the same content as provided for by section 130.041, RSMo,**  
9 **at the following times and for the following periods:**

10 (1) **Not later than the fifteenth day following the close of each**

11 **calendar quarter;**

12 **(2) Not later than the eighth day before the general election for**  
13 **a period closing on the twelfth day before the general election;**

14 **(3) Such disclosure reports shall be filed with the Missouri ethics**  
15 **commission.**

16 **3. Candidates for the office of president pro tempore of the**  
17 **Missouri senate and the speaker of the Missouri house of**  
18 **representatives may accept a contribution equal to the contribution set**  
19 **out in subdivision (1) of subsection 1 of section 130.032, RSMo, as**  
20 **increased by subsection 2 of section 130.032, RSMo.**

21 **4. A committee established pursuant to this section shall neither**  
22 **make any political contributions to the candidate committee of the**  
23 **candidate who controls the committee, nor purchase any political**  
24 **advertising for such individual.**

105.957. 1. The commission shall receive any complaints alleging  
2 violation of the provisions of:

3 (1) The requirements imposed on lobbyists by sections 105.470 to 105.478;

4 (2) The financial interest disclosure requirements contained in sections  
5 105.483 to 105.492;

6 (3) The campaign finance disclosure requirements contained in chapter  
7 130, RSMo;

8 (4) Any code of conduct promulgated by any department, division or  
9 agency of state government, or by state institutions of higher education, or by  
10 executive order;

11 (5) The conflict of interest laws contained in sections 105.450 to 105.468  
12 and section 171.181, RSMo; and

13 (6) The provisions of the constitution or state statute or order, ordinance  
14 or resolution of any political subdivision relating to the official conduct of officials  
15 or employees of the state and political subdivisions.

16 2. Complaints filed with the commission shall be in writing and filed only  
17 by a natural person. The complaint shall contain all facts known by the  
18 complainant that have given rise to the complaint and the complaint shall be  
19 sworn to, under penalty of perjury, by the complainant. No complaint shall be  
20 investigated unless the complaint alleges facts which, if true, fall within the  
21 jurisdiction of the commission. **Within five days after receipt of a**  
22 **complaint by the commission, a copy shall be distributed to the alleged**

**23 violator.**

24           3. No complaint shall be investigated which concerns alleged criminal  
25 conduct which allegedly occurred previous to the period of time allowed by law for  
26 criminal prosecution for such conduct. The commission may refuse to investigate  
27 any conduct which is the subject of civil or criminal litigation. The commission,  
28 its executive director or an investigator shall not investigate any complaint  
29 concerning conduct which is not criminal in nature which occurred more than two  
30 years prior to the date of the complaint. A complaint alleging misconduct on the  
31 part of a candidate for public office, other than those alleging failure to file the  
32 appropriate financial interest statements or campaign finance disclosure reports,  
33 shall not be accepted by the commission within sixty days prior to the primary  
34 election at which such candidate is running for office, and until after the general  
35 election.

36           4. **If the commission finds that any complaint is frivolous in**  
37 **nature or finds no probable cause to believe that there has been a**  
38 **violation, the commission shall dismiss the case. For the purposes of**  
39 **this subsection, "frivolous" shall mean a complaint clearly lacking any**  
40 **basis in fact or law. Any person who submits a frivolous complaint**  
41 **shall be liable for actual and compensatory damages to the alleged**  
42 **violator for holding the alleged violator before the public in a false**  
43 **light. If the commission finds that a complaint is frivolous or that there**  
44 **is no probable cause to believe there has been a violation, the**  
45 **commission shall issue a public report to the complainant and the**  
46 **alleged violator, stating with particularity its reasons for dismissal of**  
47 **the complaint. Upon such issuance, the complaint and all materials**  
48 **relating to the complaint shall be a public record as defined in chapter**  
49 **610, RSMo.**

50           5. Complaints which allege violations as described in this section which  
51 are filed with the commission shall be handled as provided by section 105.961.

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

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

5           (2) "Ballot measure" or "measure", any proposal submitted or intended to  
6 be submitted to qualified voters for their approval or rejection, including any  
7 proposal submitted by initiative petition, referendum petition, or by the general

8 assembly or any local governmental body having authority to refer proposals to  
9 the voter;

10 (3) "Candidate", an individual who seeks nomination or election to public  
11 office. The term "candidate" includes an elected officeholder who is the subject  
12 of a recall election, an individual who seeks nomination by the individual's  
13 political party for election to public office, an individual standing for retention in  
14 an election to an office to which the individual was previously appointed, an  
15 individual who seeks nomination or election whether or not the specific elective  
16 public office to be sought has been finally determined by such individual at the  
17 time the individual meets the conditions described in paragraph (a) or (b) of this  
18 subdivision, and an individual who is a "write-in candidate" as defined in  
19 subdivision (28) of this section. A candidate shall be deemed to seek nomination  
20 or election when the person first:

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

23 (b) Knows or has reason to know that contributions are being received or  
24 expenditures are being made or space or facilities are being reserved with the  
25 intent to promote the person's candidacy for office; except that, such individual  
26 shall not be deemed a candidate if the person files a statement with the  
27 appropriate officer within five days after learning of the receipt of contributions,  
28 the making of expenditures, or the reservation of space or facilities disavowing  
29 the candidacy and stating that the person will not accept nomination or take  
30 office if elected; provided that, if the election at which such individual is  
31 supported as a candidate is to take place within five days after the person's  
32 learning of the above-specified activities, the individual shall file the statement  
33 disavowing the candidacy within one day; or

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

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

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

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

43 (7) "Committee", a person or any combination of persons, who accepts

44 contributions or makes expenditures for the primary or incidental purpose of  
45 influencing or attempting to influence the action of voters for or against the  
46 nomination or election to public office of one or more candidates or the  
47 qualification, passage or defeat of any ballot measure or for the purpose of paying  
48 a previously incurred campaign debt or obligation of a candidate or the debts or  
49 obligations of a committee or for the purpose of contributing funds to another  
50 committee:

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

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

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

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

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

75 e. A person who acts as an authorized agent for a committee in soliciting  
76 or receiving contributions or in making expenditures or incurring indebtedness  
77 on behalf of the committee if such person renders to the committee treasurer or  
78 deputy treasurer or candidate, if applicable, an accurate account of each receipt  
79 or other transaction in the detail required by the treasurer to comply with all

80 record keeping and reporting requirements of this chapter;

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

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

87 (8) "Campaign committee", a committee, other than a candidate  
88 committee, which shall be formed by an individual or group of individuals to  
89 receive contributions or make expenditures and whose sole purpose is to support  
90 or oppose the qualification and passage of one or more particular ballot measures  
91 in an election or the retention of judges under the nonpartisan court plan, such  
92 committee shall be formed no later than thirty days prior to the election for which  
93 the committee receives contributions or makes expenditures, and which shall  
94 terminate the later of either thirty days after the general election or upon the  
95 satisfaction of all committee debt after the general election, except that no  
96 committee retiring debt shall engage in any other activities in support of a  
97 measure for which the committee was formed;

98 (9) "Candidate committee", a committee which shall be formed by a  
99 candidate to receive contributions or make expenditures in behalf of the person's  
100 candidacy and which shall continue in existence for use by an elected candidate  
101 or which shall terminate the later of either thirty days after the general election  
102 for a candidate who was not elected or upon the satisfaction of all committee debt  
103 after the election, except that no committee retiring debt shall engage in any  
104 other activities in support of the candidate for which the committee was  
105 formed. Any candidate for elective office shall have only one candidate committee  
106 for the elective office sought, which is controlled directly by the candidate for the  
107 purpose of making expenditures. A candidate committee is presumed to be under  
108 the control and direction of the candidate unless the candidate files an affidavit  
109 with the appropriate officer stating that the committee is acting without control  
110 or direction on the candidate's part;

111 (10) "Continuing committee", a committee of continuing existence which  
112 is not formed, controlled or directed by a candidate, and is a committee other  
113 than a candidate committee or campaign committee, whose primary or incidental  
114 purpose is to receive contributions or make expenditures to influence or attempt  
115 to influence the action of voters whether or not a particular candidate or

116 candidates or a particular ballot measure or measures to be supported or opposed  
117 has been determined at the time the committee is required to file any statement  
118 or report pursuant to the provisions of this chapter. "Continuing committee"  
119 includes, but is not limited to, any committee organized or sponsored by a  
120 business entity, a labor organization, a professional association, a trade or  
121 business association, a club or other organization and whose primary purpose is  
122 to solicit, accept and use contributions from the members, employees or  
123 stockholders of such entity and any individual or group of individuals who accept  
124 and use contributions to influence or attempt to influence the action of  
125 voters. Such committee shall be formed no later than thirty days prior to the  
126 election for which the committee receives contributions or makes expenditures;

127 (11) "Connected organization", any organization such as a corporation, a  
128 labor organization, a membership organization, a cooperative, or trade or  
129 professional association which expends funds or provides services or facilities to  
130 establish, administer or maintain a committee or to solicit contributions to a  
131 committee from its members, officers, directors, employees or security holders. An  
132 organization shall be deemed to be the connected organization if more than fifty  
133 percent of the persons making contributions to the committee during the current  
134 calendar year are members, officers, directors, employees or security holders of  
135 such organization or their spouses;

136 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation  
137 of money or anything of value for the purpose of supporting or opposing the  
138 nomination or election of any candidate for public office or the qualification,  
139 passage or defeat of any ballot measure, or for the support of any committee  
140 supporting or opposing candidates or ballot measures or for paying debts or  
141 obligations of any candidate or committee previously incurred for the above  
142 purposes. A contribution of anything of value shall be deemed to have a money  
143 value equivalent to the fair market value. "Contribution" includes, but is not  
144 limited to:

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

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

150 (c) Receipts from the sale of goods and services, including the sale of  
151 advertising space in a brochure, booklet, program or pamphlet of a candidate or

152 committee and the sale of tickets or political merchandise;

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

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

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

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

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

174 (i) "Contribution" does not include:

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

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

183 c. Interest earned on deposit of committee funds;

184 d. The costs incurred by any connected organization listed pursuant to  
185 subdivision (4) of subsection 5 of section 130.021 for establishing, administering  
186 or maintaining a committee, or for the solicitation of contributions to a committee  
187 which solicitation is solely directed or related to the members, officers, directors,

188 employees or security holders of the connected organization;

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

191 (14) "Disclosure report", an itemized report of receipts, expenditures and  
192 incurred indebtedness which is prepared on forms approved by the Missouri  
193 ethics commission and filed at the times and places prescribed;

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

200 (16) "Expenditure", a payment, advance, conveyance, deposit, donation or  
201 contribution of money or anything of value for the purpose of supporting or  
202 opposing the nomination or election of any candidate for public office or the  
203 qualification or passage of any ballot measure or for the support of any committee  
204 which in turn supports or opposes any candidate or ballot measure or for the  
205 purpose of paying a previously incurred campaign debt or obligation of a  
206 candidate or the debts or obligations of a committee; a payment, or an agreement  
207 or promise to pay, money or anything of value, including a candidate's own money  
208 or property, for the purchase of goods, services, property, facilities or anything of  
209 value for the purpose of supporting or opposing the nomination or election of any  
210 candidate for public office or the qualification or passage of any ballot measure  
211 or for the support of any committee which in turn supports or opposes any  
212 candidate or ballot measure or for the purpose of paying a previously incurred  
213 campaign debt or obligation of a candidate or the debts or obligations of a  
214 committee. An expenditure of anything of value shall be deemed to have a money  
215 value equivalent to the fair market value. "Expenditure" includes, but is not  
216 limited to:

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

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

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

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

228 (e) "Expenditure" does not include:

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

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

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

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

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

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

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

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

265 (19) "In-kind contribution" or "in-kind expenditure", a contribution or  
266 expenditure in a form other than money;

267 (20) "Labor organization", any organization of any kind, or any agency or  
268 employee representation committee or plan, in which employees participate and  
269 which exists for the purpose, in whole or in part, of dealing with employers  
270 concerning grievances, labor disputes, wages, rates of pay, hours of employment,  
271 or conditions of work;

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

278 (22) "Person", an individual, group of individuals, corporation,  
279 partnership, committee, proprietorship, joint venture, any department, agency,  
280 board, institution or other entity of the state or any of its political subdivisions,  
281 union, labor organization, trade or professional or business association,  
282 association, political party or any executive committee thereof, or any other club  
283 or organization however constituted or any officer or employee of such entity  
284 acting in the person's official capacity;

285 (23) "Political merchandise", goods such as bumper stickers, pins, hats,  
286 ties, jewelry, literature, or other items sold or distributed at a fund-raising event  
287 or to the general public for publicity or for the purpose of raising funds to be used  
288 in supporting or opposing a candidate for nomination or election or in supporting  
289 or opposing the qualification, passage or defeat of a ballot measure;

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

292 (25) "Political party committee", a state, district, county, city, or area  
293 committee of a political party, as defined in section 115.603, RSMo, which may  
294 be organized as a not-for-profit corporation under Missouri law, and which  
295 committee is of continuing existence, and has the primary or incidental purpose

296 of receiving contributions and making expenditures to influence or attempt to  
297 influence the action of voters on behalf of the political party;

298 (26) "Public office" or "office", any state, judicial, county, municipal, school  
299 or other district, ward, township, or other political subdivision office or any  
300 political party office which is filled by a vote of registered voters. **"Public office"**  
301 **or "office" shall not include the office of president pro tempore of the**  
302 **Missouri senate or the speaker of the Missouri house of representatives;**

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

306 (28) "Write-in candidate", an individual whose name is not printed on the  
307 ballot but who otherwise meets the definition of "candidate" in subdivision (3) of  
308 this section.

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] **pursuant to section 130.031, the amount of**  
4 **contributions from a house district committee, senate district**  
5 **committee, judicial circuit committee, or congressional district**  
6 **committee to any candidate in any one** election shall not exceed the  
7 following:

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

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

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

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

18 (5) 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 one hundred thousand but less than two hundred fifty  
21 thousand, five hundred dollars; and

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

24 decennial census is at least two hundred fifty thousand, one thousand dollars.

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

31           [3. Candidate committees, exploratory committees, campaign committees  
32 and continuing committees, other than those continuing committees which are  
33 political party committees, shall be subject to the limits prescribed in subsection  
34 1 of this section. The provisions of this subsection shall not limit the amount of  
35 contributions which may be accumulated by a candidate committee and used for  
36 expenditures to further the nomination or election of the candidate who controls  
37 such candidate committee, except as provided in section 130.052.

38           4. Except as limited by this subsection, the amount of cash contributions,  
39 and a separate amount for the amount of in-kind contributions, made by or  
40 accepted from a political party committee in any one election shall not exceed the  
41 following:

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

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

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

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

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

55           **3. No house district committee shall receive more than the**  
56 **amount allowable under subdivision 3 of subsection 1 of this section**  
57 **from any person for each calendar year.**

58           **4. No senate district committee, judicial circuit committee, or**  
59 **congressional district committee shall receive more than the amount**

60 **allowable under subdivision 2 of subsection 1 of this section from any**  
61 **person for each calendar year.**

62 5. Contributions from persons under fourteen years of age shall be  
63 considered made by the parents or guardians of such person and shall be  
64 attributed toward any contribution limits prescribed in this chapter. Where the  
65 contributor under fourteen years of age has two custodial parents or guardians,  
66 fifty percent of the contribution shall be attributed to each parent or guardian,  
67 and where such contributor has one custodial parent or guardian, all such  
68 contributions shall be attributed to the custodial parent or guardian.

69 6. Contributions received and expenditures made prior to January 1, 1995,  
70 shall be reported as a separate account and pursuant to the laws in effect at the  
71 time such contributions are received or expenditures made. Contributions  
72 received and expenditures made after January 1, 1995, shall be reported as a  
73 separate account from the aforementioned account and pursuant to the provisions  
74 of this chapter. The account reported pursuant to the prior law shall be retained  
75 as a separate account and any remaining funds in such account may be used  
76 pursuant to this chapter and section 130.034.

77 7. Any committee which accepts or gives contributions other than those  
78 allowed shall be subject to a surcharge of one thousand dollars plus an amount  
79 equal to the contribution per nonallowable contribution, to be paid to the ethics  
80 commission and which shall be transferred to the director of revenue, upon  
81 notification of such nonallowable contribution by the ethics commission, and after  
82 the candidate has had ten business days after receipt of notice to return the  
83 contribution to the contributor. The candidate and the candidate committee  
84 treasurer or deputy treasurer owing a surcharge shall be personally liable for the  
85 payment of the surcharge or may pay such surcharge only from campaign funds  
86 existing on the date of the receipt of notice. Such surcharge shall constitute a  
87 debt to the state enforceable under, but not limited to, the provisions of chapter  
88 143, RSMo.

89 **8. Any candidate for the house of representatives, senate, or a**  
90 **statewide elected office shall not accept any contributions from the**  
91 **first Wednesday after the first Monday in January through the thirtieth**  
92 **day of May of each year. Candidates for special election to the house**  
93 **of representatives, senate, or statewide elected office may accept**  
94 **contributions from the date of the candidate's nomination by his or her**  
95 **respective political party until thirty days after the date of the election.**

130.042. The Missouri ethics commission shall post on its website  
2 in an easily accessible and conspicuous manner, a listing organized by  
3 candidate showing all expenditures required to be disclosed by sections  
4 130.041 and 130.050, made in support of and against each candidate,  
5 together with the date and amount of each expenditure. The  
6 commission shall post each expenditure within seven days of  
7 notification of the expenditure. The list underlying each candidate  
8 shall be further organized into the following two categories:

- 9 (1) Expenditures in support of the candidate; and  
10 (2) Expenditures in opposition to the candidate.

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 until  
6 twenty-one days prior to an election, then the report shall be filed  
7 every twenty-four hours during an election year. In non-election years,  
8 the reports shall be filed not later than the fifteenth day after the close  
9 of each calendar quarter. All other committees and candidates shall  
10 file at the following times and for the following periods:

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

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

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

25 Notwithstanding the provisions of this subsection, if any committee accepts  
26 contributions or makes expenditures in support of or in opposition to a ballot

27 measure or a candidate, and the report required by this subsection for the most  
28 recent calendar quarter is filed prior to the fortieth day before the election on the  
29 measure or candidate, the committee shall file an additional disclosure report not  
30 later than the fortieth day before the election for the period closing on the  
31 forty-fifth day before the election.

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

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

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

59 3. The candidate, if applicable, treasurer or deputy treasurer of a  
60 committee shall file disclosure reports pursuant to this section, except for any  
61 calendar quarter in which the contributions received by the committee or the  
62 expenditures or contributions made by the committee do not exceed five hundred

63 dollars. The reporting dates and periods covered for such quarterly reports shall  
64 not be later than the fifteenth day of January, April, July and October for periods  
65 closing on the thirty-first day of December, the thirty-first day of March, the  
66 thirtieth day of June and the thirtieth day of September. No candidate, treasurer  
67 or deputy treasurer shall be required to file the quarterly disclosure report  
68 required not later than the fifteenth day of any January immediately following  
69 a November election, provided that such candidate, treasurer or deputy treasurer  
70 shall file the information required on such quarterly report on the quarterly  
71 report to be filed not later than the fifteenth day of April immediately following  
72 such November election. Each report by such committee shall be cumulative from  
73 the date of the last report. In the case of the continuing committee's first report,  
74 the report shall be cumulative from the date of the continuing committee's  
75 organization. Every candidate, treasurer or deputy treasurer shall file, at a  
76 minimum, the campaign disclosure reports covering the quarter immediately  
77 preceding the date of the election and those required by subdivisions (1) and (2)  
78 of subsection 1 of this section. A continuing committee shall submit additional  
79 reports if it makes aggregate expenditures, other than contributions to a  
80 committee, of five hundred dollars or more, within the reporting period at the  
81 following times for the following periods:

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

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

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

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

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

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

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

108 (b) If there are less than eighty-five days between a primary election and  
109 the immediately succeeding general election, the disclosure report required to be  
110 filed not later than the thirtieth day after the primary election need not be filed;  
111 provided that any report required to be filed prior to the primary election and any  
112 other report required to be filed prior to the general election are filed no later  
113 than the final dates for filing such reports; and

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

129 6. (1) If the disclosure report required to be filed by a committee not later  
130 than the thirtieth day after an election shows a deficit of unpaid loans and other  
131 outstanding obligations in excess of five thousand dollars, semiannual  
132 supplemental disclosure reports shall be filed with the appropriate officer for each  
133 succeeding semiannual period until the deficit is reported in a disclosure report  
134 as being reduced to five thousand dollars or less; except that, a supplemental

135 semiannual report shall not be required for any semiannual period which includes  
136 the closing date for the reporting period covered in any regular disclosure report  
137 which the committee is required to file in connection with an election. The  
138 reporting dates and periods covered for semiannual reports shall be not later than  
139 the fifteenth day of January and July for periods closing on the thirty-first day  
140 of December and the thirtieth day of June;

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

146 7. In the case of a committee which disbands and is required to file a  
147 termination statement pursuant to the provisions of section 130.021 with the  
148 appropriate officer not later than the tenth day after the committee was  
149 dissolved, the candidate, committee treasurer or deputy treasurer shall attach to  
150 the termination statement a complete disclosure report for the period closing on  
151 the date of dissolution. A committee shall not utilize the provisions of subsection  
152 8 of section 130.021 or the provisions of this subsection to circumvent or  
153 otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

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

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

167 **10. Any rule or portion of a rule, as that term is defined in**  
168 **section 536.010, RSMo, that is created under the authority delegated in**  
169 **this section shall become effective only if it complies with and is**  
170 **subject to all of the provisions of chapter 536, RSMo, and, if applicable,**

171 section 536.028, RSMo. This section and chapter 536, RSMo, are  
 172 nonseverable and if any of the powers vested with the general assembly  
 173 pursuant to chapter 536, RSMo, to review, to delay the effective date,  
 174 or to disapprove and annul a rule are subsequently held  
 175 unconstitutional, then the grant of rulemaking authority and any rule  
 176 proposed or adopted after August 28, 2006, shall be invalid and void.

Section 1. 1. Any person who files as a candidate for election to  
 2 an office shall be disqualified from participation in the election for  
 3 which the candidate has filed if such person is delinquent in the  
 4 payment of any local, or state taxes including, but not limited to,  
 5 income taxes, personal property taxes, or any business taxes for a  
 6 business in which the person has a majority interest, or is a past or  
 7 present corporate officer of any fee office that owes any taxes to the  
 8 state.

9 2. Each potential candidate for election shall file an affidavit  
 10 with the department of revenue and include a copy of the affidavit with  
 11 the declaration of candidacy required under section 115.349,  
 12 RSMo. Such affidavit shall be in substantially the following form:  
 13 "AFFIRMATION OF TAX PAYMENTS:

14 I hereby declare under penalties of perjury that I am not  
 15 currently aware of any delinquency in the filing or payment of any  
 16 local or state taxes, other than those taxes which may be in dispute.  
 17 ..... Candidate's Signature  
 18 ..... Printed Name of Candidate."

19 3. Upon receipt of a complaint alleging a delinquency of the  
 20 candidate in the filing or payment of any local or state taxes, the  
 21 department of revenue shall investigate such potential candidate to  
 22 verify the claim contained in the complaint. If the department of  
 23 revenue finds a positive affirmation to be false, the department shall  
 24 contact the secretary of state and the potential candidate. The  
 25 department shall notify the candidate of the outstanding tax owed and  
 26 give the candidate thirty days to remit any such outstanding taxes  
 27 owed which are not the subject of dispute between the department and  
 28 the candidate. If the candidate fails to remit such amounts in full  
 29 within thirty days, the candidate shall be disqualified from  
 30 participating in the current election and barred from refiling for an  
 31 entire election cycle even if the individual pays all outstanding taxes.

**Section 2. No person shall qualify as a candidate for elective  
2 public office in the state of Missouri who has been convicted of or  
3 found guilty of or pled guilty to a felony under the laws of this state.**

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

✓

Unofficial

Bill

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