

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 592
94TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, March 15, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

2412S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 105.487, 105.492, 105.971, 130.021, 130.046, 130.049, and 130.050, RSMo, and to enact in lieu thereof seven new sections relating to ethics, with penalty provisions.

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

Section A. Sections 105.487, 105.492, 105.971, 130.021, 130.046, 130.049, 2 and 130.050, RSMo, are repealed and seven new sections enacted in lieu thereof, 3 to be known as sections 105.487, 105.492, 130.021, 130.046, 130.049, 130.050, and 4 130.062, to read as follows:

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 8 close of filing at which the candidate seeks nomination or election, and the 9 statement shall be for the twelve months prior to the closing date, except that in 10 the event an individual does not become a candidate until after the date of 11 certification for candidates, the statement shall be filed within fourteen days of 12 the individual's nomination by caucus. An individual required to file a financial 13 interest statement because of the individual's candidacy for office prior to a 14 primary election in accordance with this section is also required to amend such 15 statement no later than the close of business on Monday prior to the general

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

16 election to reflect any changes in financial interest during the interim] **the**
17 **thirty-first day of March or within ten days of filing for office,**
18 **whichever is later, except any candidate for elective office who is**
19 **required to file a financial interest statement when the election is held**
20 **in April, shall file the statement no later than the thirty-first day of**
21 **January, or within ten days of filing for office, whichever is later. Each**
22 **statement filed shall cover the calendar year ending the immediately**
23 **preceding December thirty-first, provided that the governor, lieutenant**
24 **governor, any member of the general assembly, or any member of the**
25 **governing body of a political subdivision may supplement such person's**
26 **financial interest statement to report additional interests acquired**
27 **after December thirty-first of the covered year until the date of filing**
28 **of the financial interest statement.** The appropriate election authority shall
29 provide to the candidate at the time of filing for [election] **office** written notice
30 of the candidate's obligation to file pursuant to sections 105.483 to 105.492 and
31 the candidate shall sign a statement acknowledging receipt of such notice;

32 (2) Each person appointed to office, except any person elected for county
33 committee of a political party pursuant to section 115.617, RSMo, and each
34 official or employee described in section 105.483 who is not otherwise covered in
35 this subsection shall file the statement within thirty days of such appointment
36 or employment. **This statement shall cover the time period described in**
37 **subdivision (1) of this section;**

38 (3) Every other person required by sections 105.483 to 105.492 to file a
39 financial interest statement shall file the statement annually not later than the
40 [first] **thirty-first** day of [May] **March** and the statement shall cover the
41 calendar year ending the immediately preceding December thirty-first; provided
42 that the governor, lieutenant governor, any member of the general assembly or
43 any member of the governing body of a political subdivision may supplement such
44 person's financial interest statement to report additional interests acquired after
45 December thirty-first of the covered year until the date of filing of the financial
46 interest statement. **If an individual becomes a candidate for office via**
47 **nomination by a political caucus, the individual shall file a financial**
48 **interest statement within ten days of the nomination. Such statement**
49 **shall cover the time period described in subdivision (1) of this section;**

50 (4) The deadline for filing any statement required by sections 105.483 to
51 105.492 shall be 5:00 p.m. of the last day designated for filing the

52 statement. When the last day of filing falls on a Saturday or Sunday or on an
53 official state holiday, the deadline for filing is extended to 5:00 p.m. on the next
54 day which is not a Saturday or Sunday or official holiday. Any statement
55 required within a specified time shall be deemed to be timely filed if it is
56 postmarked not later than midnight of the day [previous to the last day]
57 designated for filing the statement.

105.492. 1. Any person required in sections 105.483 to 105.492 to file a
2 financial interest statement who fails to file such statement by the times required
3 in section 105.487 shall, if such person receives any compensation or other
4 remuneration from public funds for the person's services, not be paid such
5 compensation or receive such remuneration until the person has filed a financial
6 interest statement as required by sections 105.483 to 105.492. Any person
7 required in sections 105.483 to 105.492 to file a financial statement who fails to
8 file such statement by the time required in section 105.487 and continues to fail
9 to file the required financial interest statement for thirty or more days after
10 receiving notice from the commission shall be subject to suspension from office in
11 the manner otherwise provided by law or the constitution. The attorney general
12 or prosecuting or circuit attorney, at the request of the commission, may take
13 appropriate legal action to enforce the provisions of this section.

14 2. If a candidate for office does not file a financial interest statement by
15 the close of business on the twenty-first day after the last day for filing for
16 election for which the person is a candidate, the commission shall notify the
17 official who accepted such candidate's declaration of candidacy that the candidate
18 is disqualified. Such election official shall remove the candidate's name from the
19 ballot.

20 3. Failure of any elected official or judge to file a financial interest
21 statement thirty days after notice from the appropriate filing officer shall be
22 grounds for removal from office as may be otherwise provided by law or the
23 constitution.

24 4. Any person who knowingly misrepresents or omits any facts required
25 to be contained in any financial interest statement filed as required by sections
26 105.483 to 105.496 is guilty of a class B misdemeanor. Venue for any criminal
27 proceeding brought pursuant to this section shall be the county in which the
28 defendant resided at the time the defendant filed the financial interest statement.

29 5. Any lobbyist who fails to timely file a lobbying disclosure report as
30 required by section 105.473 shall be assessed a late filing fee of ten dollars for

31 every day such report is late. **Any lobbyist who is assessed such a late fee**
32 **may appeal this assessment as provided in subsection 7 of section**
33 **105.963.**

130.021. 1. Every committee shall have a treasurer who, except as
2 provided in subsection 10 of this section, shall be a resident of this state. A
3 committee may also have a deputy treasurer who, except as provided in
4 subsection 10 of this section, shall be a resident of this state, to serve in the
5 capacity of committee treasurer in the event the committee treasurer is unable
6 for any reason to perform the treasurer's duties.

7 2. Every candidate for offices listed in subsection 1 of section 130.016 who
8 has not filed a statement of exemption pursuant to that subsection and every
9 candidate for offices listed in subsection 6 of section 130.016 who is not excluded
10 from filing a statement of organization and disclosure reports pursuant to
11 subsection 6 shall form a candidate committee and appoint a
12 treasurer. Thereafter, all contributions on hand and all further contributions
13 received by such candidate and any of the candidate's own funds to be used in
14 support of the person's candidacy shall be deposited in a candidate committee
15 depository account established pursuant to the provisions of subsection 4 of this
16 section, and all expenditures shall be made through the candidate, treasurer or
17 deputy treasurer of the person's candidate committee. Nothing in this chapter
18 shall prevent a candidate from appointing himself or herself as a committee of
19 one and serving as the person's own treasurer, maintaining the candidate's own
20 records and filing all the reports and statements required to be filed by the
21 treasurer of a candidate committee.

22 3. A candidate who has more than one candidate committee supporting
23 the person's candidacy shall designate one of those candidate committees as the
24 committee responsible for consolidating the aggregate contributions to all such
25 committees under the candidate's control and direction as required by section
26 130.041.

27 4. (1) Every committee shall have a single official fund depository within
28 this state which shall be a federally or state-chartered bank, a federally or
29 state-chartered savings and loan association, or a federally or state-chartered
30 credit union in which the committee shall open and thereafter maintain at least
31 one official depository account in its own name. An "official depository account"
32 shall be a checking account or some type of negotiable draft or negotiable order
33 of withdrawal account, and the official fund depository shall, regarding an official

34 depository account, be a type of financial institution which provides a record of
35 deposits, canceled checks or other canceled instruments of withdrawal evidencing
36 each transaction by maintaining copies within this state of such instruments and
37 other transactions. All contributions which the committee receives in money,
38 checks and other negotiable instruments shall be deposited in a committee's
39 official depository account. Contributions shall not be accepted and expenditures
40 shall not be made by a committee except by or through an official depository
41 account and the committee treasurer, deputy treasurer or
42 candidate. Contributions received by a committee shall not be commingled with
43 any funds of an agent of the committee, a candidate or any other person, except
44 that contributions from a candidate of the candidate's own funds to the person's
45 candidate committee shall be deposited to an official depository account of the
46 person's candidate committee. No expenditure shall be made by a committee
47 when the office of committee treasurer is vacant except that when the office of a
48 candidate committee treasurer is vacant, the candidate shall be the treasurer
49 until the candidate appoints a new treasurer.

50 (2) A committee treasurer, deputy treasurer or candidate may withdraw
51 funds from a committee's official depository account and deposit such funds in one
52 or more savings accounts in the committee's name in any bank, savings and loan
53 association or credit union within this state, and may also withdraw funds from
54 an official depository account for investment in the committee's name in any
55 certificate of deposit, bond or security. Proceeds from interest or dividends from
56 a savings account or other investment or proceeds from withdrawals from a
57 savings account or from the sale of an investment shall not be expended or
58 reinvested, except in the case of renewals of certificates of deposit, without first
59 redepositing such proceeds in an official depository account. Investments, other
60 than savings accounts, held outside the committee's official depository account at
61 any time during a reporting period shall be disclosed by description, amount, any
62 identifying numbers and the name and address of any institution or person in
63 which or through which it is held in an attachment to disclosure reports the
64 committee is required to file. Proceeds from an investment such as interest or
65 dividends or proceeds from its sale, shall be reported by date and amount. In the
66 case of the sale of an investment, the names and addresses of the persons
67 involved in the transaction shall also be stated. Funds held in savings accounts
68 and investments, including interest earned, shall be included in the report of
69 money on hand as required by section 130.041.

70 5. The treasurer or deputy treasurer acting on behalf of any person or
71 organization or group of persons which is a committee by virtue of the definitions
72 of "committee" in section 130.011 and any candidate who is not excluded from
73 forming a committee in accordance with the provisions of section 130.016 shall
74 file a statement of organization with the appropriate officer within twenty days
75 after the person or organization becomes a committee but no later than the date
76 for filing the first report required pursuant to the provisions of section
77 130.046. The statement of organization shall contain the following information:

78 (1) The name, mailing address and telephone number, if any, of the
79 committee filing the statement of organization. If the committee is deemed to be
80 affiliated with a connected organization as provided in subdivision (11) of section
81 130.011, the name of the connected organization, or a legally registered fictitious
82 name which reasonably identifies the connected organization, shall appear in the
83 name of the committee. If the committee is a candidate committee, the name of
84 the candidate shall be a part of the committee's name;

85 (2) The name, mailing address and telephone number of the candidate;

86 (3) The name, mailing address and telephone number of the committee
87 treasurer, and the name, mailing address and telephone number of its deputy
88 treasurer if the committee has named a deputy treasurer;

89 (4) The names, mailing addresses and titles of its officers, if any;

90 (5) The name and mailing address of any connected organizations with
91 which the committee is affiliated;

92 (6) The name and mailing address of its depository, and the name and
93 account number of each account the committee has in the depository, **except**
94 **that when the report is required to be filed with an appropriate officer,**
95 **as defined in section 130.011, other than the Missouri ethics**
96 **commission, the account number of each account may be omitted;**

97 (7) Identification of the major nature of the committee such as a candidate
98 committee, campaign committee, continuing committee, political party committee,
99 incumbent committee, or any other committee according to the definition of
100 "committee" in section 130.011;

101 (8) In the case of the candidate committee designated in subsection 3 of
102 this section, the full name and address of each other candidate committee which
103 is under the control and direction of the same candidate, together with the name,
104 address and telephone number of the treasurer of each such other committee;

105 (9) The name and office sought of each candidate supported or opposed by

106 the committee;

107 (10) The ballot measure concerned, if any, and whether the committee is
108 in favor of or opposed to such measure;

109 **(11) The treasurer of a committee, other than a candidate**
110 **committee or a political party committee shall obtain from the**
111 **secretary of state a committee's fictitious name registration or**
112 **committee's incorporation registration and file a copy of said**
113 **registration with the appropriate officer as defined in section 130.026**
114 **with a statement of committee organization. The registration shall be**
115 **maintained as a public document.**

116 6. A committee may omit the information required in subdivisions (9) and
117 (10) of subsection 5 of this section if, on the date on which it is required to file a
118 statement of organization, the committee has not yet determined the particular
119 candidates or particular ballot measures it will support or oppose. Any
120 contribution received over the allowable contribution limits described in section
121 130.032 shall be returned to the contributor by the committee within five
122 business days of the declaration of candidacy or position on a candidate or a
123 particular ballot measure of the committee.

124 7. A committee which has filed a statement of organization and has not
125 terminated shall not be required to file another statement of organization, except
126 that when there is a change in any of the information previously reported as
127 required by subdivisions (1) to (8) of subsection 5 of this section an amended
128 statement of organization shall be filed within twenty days after the change
129 occurs, but no later than the date of the filing of the next report required to be
130 filed by that committee by section 130.046.

131 8. Upon termination of a committee, a termination statement indicating
132 dissolution shall be filed not later than ten days after the date of dissolution with
133 the appropriate officer or officers with whom the committee's statement of
134 organization was filed. The termination statement shall include: the distribution
135 made of any remaining surplus funds and the disposition of any deficits; and the
136 name, mailing address and telephone number of the individual responsible for
137 preserving the committee's records and accounts as required in section 130.036.

138 9. Any statement required by this section shall be signed and attested by
139 the committee treasurer or deputy treasurer, and by the candidate in the case of
140 a candidate committee.

141 10. A committee domiciled outside this state shall be required to file a

142 statement of organization and appoint a treasurer residing in this state and open
143 an account in a depository within this state; provided that either of the following
144 conditions prevails:

145 (1) The aggregate of all contributions received from persons domiciled in
146 this state exceeds twenty percent in total dollar amount of all funds received by
147 the committee in the preceding twelve months; or

148 (2) The aggregate of all contributions and expenditures made to support
149 or oppose candidates and ballot measures in this state exceeds one thousand five
150 hundred dollars in the current calendar year.

151 11. If a committee domiciled in this state receives a contribution of one
152 thousand five hundred dollars or more from any committee domiciled outside of
153 this state, the committee domiciled in this state shall file a disclosure report with
154 the commission. The report shall disclose the full name, mailing address,
155 telephone numbers and domicile of the contributing committee and the date and
156 amount of the contribution. The report shall be filed within forty-eight hours of
157 the receipt of such contribution if the contribution is received after the last
158 reporting date before the election.

130.046. 1. The disclosure reports required by section 130.041 for all
2 committees shall be filed at the following times and for the following periods:

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

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

15 (3) Not later than the fifteenth day following the close of each calendar
16 quarter, **except the report which is to be filed on the fifteenth day of**
17 **April, for the quarter ending the thirty-first day of March, shall be filed**
18 **no later than the twenty-first day of April.** Notwithstanding the provisions
19 of this subsection, if any committee accepts contributions or makes expenditures

20 in support of or in opposition to a ballot measure or a candidate, and the report
21 required by this subsection for the most recent calendar quarter is filed prior to
22 the fortieth day before the election on the measure or candidate, the committee
23 shall file an additional disclosure report not later than the fortieth day before the
24 election for the period closing on the forty-fifth day before the election.

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

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

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

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

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

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

77 (2) Not later than twenty-four hours after aggregate expenditures of two
78 hundred fifty dollars or more are made after the twelfth day before the election;
79 and

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

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

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

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

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

102 (b) If there are less than eighty-five days between a primary election and
103 the immediately succeeding general election, the disclosure report required to be
104 filed not later than the thirtieth day after the primary election need not be filed;
105 provided that any report required to be filed prior to the primary election and any
106 other report required to be filed prior to the general election are filed no later
107 than the final dates for filing such reports; and

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

123 6. (1) If the disclosure report required to be filed by a committee not later
124 than the thirtieth day after an election shows a deficit of unpaid loans and other
125 outstanding obligations in excess of five thousand dollars, semiannual
126 supplemental disclosure reports shall be filed with the appropriate officer for each
127 succeeding semiannual period until the deficit is reported in a disclosure report

128 as being reduced to five thousand dollars or less; except that, a supplemental
129 semiannual report shall not be required for any semiannual period which includes
130 the closing date for the reporting period covered in any regular disclosure report
131 which the committee is required to file in connection with an election. The
132 reporting dates and periods covered for semiannual reports shall be not later than
133 the fifteenth day of January and July for periods closing on the thirty-first day
134 of December and the thirtieth day of June.

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

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

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

154 9. Each candidate for the office of state representative, state senator, and
155 for statewide elected office shall file all disclosure reports described in section
156 130.041 electronically with the Missouri ethics commission. The Missouri ethics
157 commission shall promulgate rules establishing the standard for electronic filings
158 with the commission and shall propose such rules for the importation of files to
159 the reporting program.

160 10. Any rule or portion of a rule, as that term is defined in section
161 536.010, RSMo, that is created under the authority delegated in this section shall
162 become effective only if it complies with and is subject to all of the provisions of
163 chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and

164 chapter 536, RSMo, are nonseverable and if any of the powers vested with the
165 general assembly pursuant to chapter 536, RSMo, to review, to delay the effective
166 date, or to disapprove and annul a rule are subsequently held unconstitutional,
167 then the grant of rulemaking authority and any rule proposed or adopted after
168 August 28, 2006, shall be invalid and void.

130.049. 1. An out-of-state committee which according to the provisions
2 of subsection 10 of section 130.021 is not required to file a statement of
3 organization and is not required to file the full disclosure reports required by
4 section 130.041 shall file reports with the Missouri ethics commission according
5 to [the provisions of such sections] **this subsection** if the committee makes
6 contributions or expenditures in support of or in opposition to candidates or ballot
7 measures in this state in any election covered by this chapter or makes
8 contributions to any committee domiciled in this state. An initial report shall be
9 filed no later than fourteen days prior to the date such out-of-state committee
10 first makes a contribution or expenditure in this state[. Such initial report shall
11 state the name and address of the committee receiving such contributions or
12 expenditures], **and thereafter reports shall be filed at the times and for**
13 **the reporting periods prescribed in subsection 1 of section 130.046.** The
14 contributions or expenditures shall be made no later than thirty days prior to the
15 election. [The out-of-state committee thereafter shall file copies of the campaign
16 disclosure report required to be filed in the domicile of the committee with the
17 Missouri ethics commission as required by subsections 1 to 3 of section 130.046.]
18 No candidate or committee may accept any contribution made by a committee
19 domiciled outside this state unless the provisions of this section are met.

20 **2. Each out-of-state committee report shall contain:**

21 **(1) The full name, address, and domicile of the committee making**
22 **the report and the name, residential and business addresses, domicile,**
23 **and telephone numbers of the committee's treasurer;**

24 **(2) The name and address of any entity such as a labor union,**
25 **trade or business or professional association, club, or other**
26 **organization, or any business entity with which the committee is**
27 **affiliated;**

28 **(3) A statement of the total dollar amount of all funds received**
29 **by the committee in the current calendar year and a statement of the**
30 **total contributions in the same period from persons domiciled in this**
31 **state and a list by name, address, date, and amount of each Missouri**

32 resident who contributed an aggregate of more than two hundred
33 dollars in the current calendar year;

34 (4) A list by name, address, date, and amount regarding any
35 contributor to the out-of-state committee, regardless of state of
36 residency, who made a contribution during the reporting period which
37 was restricted or designated in whole or in part for use in supporting
38 or opposing a candidate, ballot measure, or committee in this state or
39 was restricted for use in this state at the committee's discretion, or a
40 statement that no such contributions were received;

41 (5) A statement as to whether the committee is required to file
42 reports with the Federal Election Commission, and a listing of agencies
43 in other states with which the committee files reports, if any;

44 (6) A separate listing showing contributions made in support of
45 or opposition to each candidate or ballot measure in this state, together
46 with the date and amount of each contribution;

47 (7) A separate listing showing contributions made to any
48 committee domiciled in this state with the date and amount of each
49 contribution.

130.050. [1. An out-of-state committee which, according to the provisions
2 of subsection 10 of section 130.021, is not required to file a statement of
3 organization and is not required to file the full disclosure reports required by
4 section 130.041 shall file reports with the Missouri ethics commission according
5 to the provisions of this subsection if the committee makes contributions or
6 expenditures in support of or in opposition to candidates or ballot measures in
7 this state in any election covered by this chapter or makes contributions to any
8 committee domiciled in this state. An initial report shall be filed on or within
9 fourteen days prior to the date such out-of-state committee first makes a
10 contribution or expenditure in this state, and thereafter reports shall be filed at
11 the times and for the reporting periods prescribed in subsection 1 of section
12 130.046. Each report shall contain:

13 (1) The full name, address and domicile of the committee making the
14 report and the name, residential and business addresses, domicile and telephone
15 numbers of the committee's treasurer;

16 (2) The name and address of any entity such as a labor union, trade or
17 business or professional association, club or other organization or any business
18 entity with which the committee is affiliated;

19 (3) A statement of the total dollar amount of all funds received by the
20 committee in the current calendar year and a statement of the total contributions
21 in the same period from persons domiciled in this state and a list by name,
22 address, date and amount of each Missouri resident who contributed an aggregate
23 of more than two hundred dollars in the current calendar year;

24 (4) A list by name, address, date and amount regarding any contributor
25 to the out-of-state committee, regardless of state of residency, who made a
26 contribution during the reporting period which was restricted or designated in
27 whole or in part for use in supporting or opposing a candidate, ballot measure or
28 committee in this state or was restricted for use in this state at the committee's
29 discretion, or a statement that no such contributions were received;

30 (5) A statement as to whether the committee is required to file reports
31 with the Federal Election Commission, and a listing of agencies in other states
32 with which the committee files reports, if any;

33 (6) A separate listing showing contributions made in support of or
34 opposition to each candidate or ballot measure in this state, together with the
35 date and amount of each contribution;

36 (7) A separate listing showing contributions made to any committee
37 domiciled in this state with the date and amount of each contribution.

38 2. In the case of a political party committee's selection of an individual to
39 be the party's nominee for public office in an election covered by this chapter, any
40 individual who seeks such nomination and who is a candidate according to the
41 definition of the term candidate in section 130.011 shall be required to comply
42 with all requirements of this chapter; except that, for the purposes of this
43 subsection, the reporting dates and reporting periods in section 130.046 shall not
44 apply, and the first reporting date shall be no later than the fifteenth day after
45 the date on which a nomination covered by this subsection was made and for the
46 period beginning on the date the individual became a candidate, as the term
47 candidate is defined in section 130.011, and closing on the tenth day after the
48 date the nomination was made, with subsequent reports being made as closely as
49 practicable to the times required in section 130.046.

50 3.] The receipt of any late contribution or loan of more than two hundred
51 fifty dollars by a candidate committee supporting a candidate for statewide office
52 or by any other committee shall be reported to the appropriate officer no later
53 than twenty-four hours after receipt. For purposes of this subsection the term
54 "late contribution or loan" means a contribution or loan received after the closing

55 date of the last disclosure report required to be filed before an election but
56 received prior to the date of the election itself. The disclosure report of a late
57 contribution may be made by any written means of communication, setting forth
58 the name and address of the contributor or lender and the amount of the
59 contribution or loan and need not contain the signatures and certification
60 required for a full disclosure report described in section 130.041. A late
61 contribution or loan shall be included in subsequent disclosure reports without
62 regard to any special reports filed pursuant to this subsection.

**130.062. In the case of a political party committee's selection of
2 an individual to be the party's nominee for public office in an election
3 covered by this chapter, any individual who seeks such nomination and
4 who is a candidate according to the definition of the term "candidate"
5 in section 130.011 shall be required to comply with all requirements of
6 this chapter; except that, for the purposes of this section, the reporting
7 dates and reporting periods in section 130.046 shall not apply, and the
8 first reporting date shall be no later than the fifteenth day after the
9 date on which a nomination covered by this section was made and for
10 the period beginning on the date the individual became a candidate, as
11 the term candidate is defined in section 130.011, and closing on the
12 tenth day after the date the nomination was made, with subsequent
13 reports being made as closely as practicable to the times required in
14 section 130.046.**

[105.971. 1. Any person who for valuable consideration acts
2 in a representative capacity for the purpose of attempting to
3 influence the decisions of any elected official or member of any
4 commission, board, or committee of any city with a population of at
5 least four hundred thousand shall advise the city clerk of his
6 contact with or his intention to contact such official or member for
7 the purpose of attempting to influence the decision of such elected
8 official or member within ten working days of such contact.

9 2. The requirements of subsection 1 of this section shall be
10 satisfied by sending a letter to the clerk of such city, containing the
11 person's name and business address; the name and address of the
12 person, business, association, partnership or corporation for whom
13 he is attempting to obtain a decision and the department of city
14 government which he is attempting to influence.

15 3. The city clerk shall, upon receipt, make such letters open
16 for public inspection during normal business hours.

17 4. Representatives of the news media engaged in the
18 exercise or expression of any editorial opinion are exempt from this
19 section.

20 5. Violation of this section is an infraction.]



Unofficial

Bill

Copy