

FIRST REGULAR SESSION

# SENATE BILL NO. 408

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time January 30, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1675S.011

## AN ACT

To repeal section 130.032, RSMo, and to enact in lieu thereof one new section relating to campaign contribution limits.

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

Section A. Section 130.032, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 130.032, to read as follows:

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

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

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

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

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

16 (5) **To elect an individual to any other office, including judicial  
17 office, if the population of the electoral district, ward, or other unit  
18 according to the latest decennial census is at least one hundred  
19 thousand but less than two hundred fifty thousand, five hundred**

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

20 dollars; and

21 (6) To elect an individual to any other office, including judicial  
22 office, if the population of the electoral district, ward, or other unit  
23 according to the latest decennial census is at least two hundred fifty  
24 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, 2007. Such  
27 limits shall be increased on the first day of January in each  
28 even-numbered year by multiplying the base year amount by the  
29 cumulative consumer price index, as defined in section 104.010, RSMo,  
30 and rounded to the nearest twenty-five-dollar amount, for all years  
31 since January 1, 2007.

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

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

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

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

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

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

54 The amount of contributions which may be made by or accepted from  
55 a political party committee in the primary election to elect any  
56 candidate who is unopposed in such primary shall be fifty percent of

57 the amount of the allowable contributions as determined in this  
58 subsection.

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

67       6. Contributions received and expenditures made prior to  
68 January 1, 2007, shall be reported as a separate account and pursuant  
69 to the laws in effect at the time such contributions are received or  
70 expenditures made. Contributions received and expenditures made  
71 after January 1, 2007, shall be reported as a separate account from the  
72 aforementioned account and pursuant to the provisions of this  
73 chapter. The account reported pursuant to the prior law shall be  
74 retained as a separate account and any remaining funds in such  
75 account may be used pursuant to this chapter and section 130.034.

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

90       8. Monetary contributions shall not be made from any political party  
91 committee as defined in subdivision (25) of section 130.011 to any candidate  
92 committee, continuing committee, or political party committee. Nothing in this  
93 section shall be construed to limit any candidate committee from making

94 contributions to any other committee.

95           [2.] 9. Any candidate for the office of state representative, the office of  
96 state senator, or a statewide elected office shall not accept any contributions from  
97 the first Wednesday after the first Monday in January through the first Friday  
98 after the second Monday of May of each year at 6:00 p.m. Only candidates for  
99 special election to the house of representatives, senate, or statewide elected office  
100 may, during such time, accept contributions from the date of the candidate's  
101 nomination by his or her respective political party until thirty days after the date  
102 of the election.

Unofficial ✓

Bill

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