

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 378
AN ACT

To repeal sections 105.473, 105.963, 105.964, 130.021, 130.034, 130.036, 130.041, 130.046, 130.056, and 347.163, RSMo, and to enact in lieu thereof ten 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A. Sections 105.473, 105.963, 105.964, 130.021, 130.034, 130.036, 130.041, 130.046, 130.056, and 347.163, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 105.473, 105.963, 105.964, 130.021, 130.034, 130.036, 130.041, 130.046, 130.056, and 347.163, to read as follows:

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing

18 another person for lobbying purposes may notify the
19 commission that a judicial, executive or legislative
20 lobbyist is no longer authorized to lobby for the principal
21 or the lobbyist and should be removed from the commission's
22 files.

23 2. Each person shall, before giving testimony before
24 any committee of the general assembly, give to the secretary
25 of such committee such person's name and address and the
26 identity of any lobbyist or organization, if any, on whose
27 behalf such person appears. A person who is not a lobbyist
28 as defined in section 105.470 shall not be required to give
29 such person's address if the committee determines that the
30 giving of such address would endanger the person's physical
31 health.

32 3. (1) During any period of time in which a lobbyist
33 continues to act as an executive lobbyist, judicial
34 lobbyist, legislative lobbyist, or elected local government
35 official lobbyist, the lobbyist shall file with the
36 commission on standardized forms prescribed by the
37 commission monthly reports which shall be due at the close
38 of business on [the tenth day of the following month]
39 December thirty-first each year, or if December thirty-first
40 is a Saturday or Sunday, on the last Friday of the calendar
41 year;

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

46 (a) The total of all expenditures by the lobbyist or
47 his or her lobbyist principals made on behalf of all public
48 officials, their staffs and employees, and their spouses and
49 dependent children, which expenditures shall be separated
50 into at least the following categories by the executive

51 branch, judicial branch and legislative branch of
52 government: printing and publication expenses; media and
53 other advertising expenses; travel; the time, venue, and
54 nature of any entertainment; honoraria; meals, food and
55 beverages; and gifts;

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

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

72 (d) The total of all expenditures made by a lobbyist
73 or lobbyist principal for occasions and the identity of the
74 group invited, the date and description of the occasion and
75 the amount of the expenditure for each occasion when any of
76 the following are invited in writing:

77 a. All members of the senate;

78 b. All members of the house of representatives;

79 c. All members of a joint committee of the general
80 assembly or a standing committee of either the house of
81 representatives or senate; or

82 d. All members of a caucus of the majority party of
83 the house of representatives, minority party of the house of

84 representatives, majority party of the senate, or minority
85 party of the senate;

86 (e) Any expenditure made on behalf of a public
87 official, an elected local government official or such
88 official's staff, employees, spouse or dependent children,
89 if such expenditure is solicited by such official, the
90 official's staff, employees, or spouse or dependent
91 children, from the lobbyist or his or her lobbyist
92 principals and the name of such person or persons, except
93 any expenditures made to any not-for-profit corporation,
94 charitable, fraternal or civic organization or other
95 association formed to provide for good in the order of
96 benevolence;

97 (f) A statement detailing any direct business
98 relationship or association or partnership the lobbyist has
99 with any public official or elected local government
100 official. The reports required by this subdivision shall
101 cover the time periods since the filing of the last report
102 or since the lobbyist's employment or representation began,
103 whichever is most recent.

104 4. No expenditure reported pursuant to this section
105 shall include any amount expended by a lobbyist or lobbyist
106 principal on himself or herself. All expenditures disclosed
107 pursuant to this section shall be valued on the report at
108 the actual amount of the payment made, or the charge,
109 expense, cost, or obligation, debt or bill incurred by the
110 lobbyist or the person the lobbyist represents. Whenever a
111 lobbyist principal employs more than one lobbyist,
112 expenditures of the lobbyist principal shall not be reported
113 by each lobbyist, but shall be reported by one of such
114 lobbyists. No expenditure shall be made on behalf of a
115 state senator or state representative, or such public
116 official's staff, employees, spouse, or dependent children

117 for travel or lodging outside the state of Missouri unless
118 such travel or lodging was approved prior to the date of the
119 expenditure by the administration and accounts committee of
120 the house or the administration committee of the senate.

121 5. Any lobbyist principal shall provide in a timely
122 fashion whatever information is reasonably requested by the
123 lobbyist principal's lobbyist for use in filing the reports
124 required by this section.

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

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

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

141 9. The prosecuting attorney of Cole County shall be
142 reimbursed only out of funds specifically appropriated by
143 the general assembly for investigations and prosecutions for
144 violations of this section.

145 10. Any public official or other person whose name
146 appears in any lobbyist report filed pursuant to this
147 section who contests the accuracy of the portion of the
148 report applicable to such person may petition the commission
149 for an audit of such report and shall state in writing in

150 such petition the specific disagreement with the contents of
151 such report. The commission shall investigate such
152 allegations in the manner described in section 105.959. If
153 the commission determines that the contents of such report
154 are incorrect, incomplete or erroneous, it shall enter an
155 order requiring filing of an amended or corrected report.

156 11. The commission shall provide a report listing the
157 total spent by a lobbyist for the month and year to any
158 member or member-elect of the general assembly, judge or
159 judicial officer, or any other person holding an elective
160 office of state government or any elected local government
161 official on or before the twentieth day of each month. For
162 the purpose of providing accurate information to the public,
163 the commission shall not publish information in either
164 written or electronic form for ten working days after
165 providing the report pursuant to this subsection. The
166 commission shall not release any portion of the lobbyist
167 report if the accuracy of the report has been questioned
168 pursuant to subsection 10 of this section unless it is
169 conspicuously marked "Under Review".

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

177 13. No person serving as an elected local government
178 official or employed by an elected local government official
179 shall accept directly or indirectly a gift of any tangible
180 or intangible item, service, or thing of value from any paid
181 lobbyist or lobbyist principle. This section shall not
182 prevent candidates, including candidates for reelection,

183 from accepting campaign contributions consistent with the
184 Missouri constitution and chapter 130. Nothing in this
185 subsection shall prevent individuals from receiving gifts,
186 family support or anything of value from those related to
187 them within the fourth degree by blood or marriage.

188 14. The provisions of this section shall supersede any
189 contradicting ordinances or charter provisions.

105.963. 1. The executive director shall assess every
2 committee, as defined in section 130.011, failing to file
3 with a filing officer other than a local election authority
4 as provided by section 130.026 a campaign disclosure report
5 as required by chapter 130, [other than the report required
6 pursuant to subdivision (1) of subsection 1 of section
7 130.046,] a late filing fee of [ten] twenty dollars for each
8 day after such report is due to the commission, unless
9 subsection 2 of this section applies. The executive
10 director shall [mail] send a notice[, by registered mail,]
11 to any candidate and the treasurer of any committee who
12 fails to file such report informing such person of such
13 failure and the fees provided by this section. If the
14 candidate or treasurer of any committee persists in such
15 failure for a period in excess of thirty days beyond receipt
16 of such notice, the amount of the late filing fee shall
17 increase to one hundred dollars for each day that the report
18 is not filed, provided that the total amount of such fees
19 assessed pursuant to this subsection per report shall not
20 exceed three thousand dollars.

21 2. (1) Any [candidate for state or local office who]
22 committee that fails to file a campaign disclosure report
23 required pursuant to subdivision (1) of subsection 1 of
24 section 130.046 or pursuant to subdivision (1) of subsection
25 3 of section 130.046, other than a report required to be
26 filed with a local election authority as provided by section

27 130.026, shall be assessed by the executive director a late
28 filing fee of one hundred dollars for each day that the
29 report is not filed, until the first day after the date of
30 the election. After such election date, the amount of such
31 late filing fee shall accrue at the rate of ten dollars per
32 day that such report remains unfiled, except as provided in
33 subdivision (2) of this subsection.

34 (2) The executive director shall [mail] send a
35 notice[, by certified mail or other means to give actual
36 notice,] to any candidate [who] and the treasurer of any
37 committee that fails to file the report described in
38 subdivision (1) of this subsection informing such person of
39 such failure and the fees provided by this section. If the
40 [candidate] committee persists in such failure for a period
41 in excess of thirty days beyond receipt of such notice, the
42 amount of the late filing fee shall increase to one hundred
43 dollars for each day that the report is not filed, provided
44 that the total amount of such fees assessed pursuant to this
45 subsection per report shall not exceed six thousand dollars.

46 3. The executive director shall assess every person
47 required to file a financial interest statement pursuant to
48 sections 105.483 to 105.492 failing to file such a financial
49 interest statement with the commission a late filing fee of
50 ten dollars for each day after such statement is due to the
51 commission. The executive director shall [mail] send a
52 notice[, by certified mail,] to any person who fails to file
53 such statement informing the individual required to file of
54 such failure and the fees provided by this section. If the
55 person persists in such failure for a period in excess of
56 thirty days beyond receipt of such notice, the amount of the
57 late filing fee shall increase to one hundred dollars for
58 each day thereafter that the statement is late, provided
59 that the total amount of such fees assessed pursuant to this

60 subsection per statement shall not exceed six thousand
61 dollars.

62 4. Any person assessed a late filing fee may seek
63 review of such assessment or the amount of late filing fees
64 assessed, at the person's option, by filing a petition
65 within fourteen days after receiving [actual] notice of
66 assessment with the administrative hearing commission, or
67 without exhausting the person's administrative remedies may
68 seek review of such issues with the circuit court of Cole
69 County.

70 5. The executive director of the Missouri ethics
71 commission shall collect such late filing fees as are
72 provided for in this section. Unpaid late filing fees shall
73 be collected by action filed by the commission. The
74 commission shall contract with the appropriate entity to
75 collect such late filing fees after a thirty-day
76 delinquency. If not collected within one hundred twenty
77 days, the Missouri ethics commission shall file a petition
78 in Cole County circuit court to seek a judgment on said
79 fees. All late filing fees collected pursuant to this
80 section shall be transmitted to the state treasurer and
81 deposited to the general revenue fund.

82 6. The late filing fees provided by this section shall
83 be in addition to any penalty provided by law for violations
84 of sections 105.483 to 105.492 or chapter 130.

85 7. The late filing fees and corresponding cumulative
86 late filing fee limits described in subsections 1 and 2 of
87 this section shall be increased as provided in this
88 subsection. On January 1, 2025, and on January first of
89 successive years, the executive director of the commission
90 shall measure the increase in the cost of living by the
91 percentage increase as of the preceding July over the level
92 as of July of the immediately preceding year of the Consumer

93 Price Index for Urban Wage Earners and Clerical Workers (CPI-
94 W) or successor index as published by the U.S. Department of
95 Labor or its successor agency. On January 1, 2025, the
96 dollar amounts listed in this subsection shall be increased
97 by the percentage increase in the cost of living as measured
98 in this subsection, and this shall be known as the base
99 amount. The base amount shall be the dollar amount that is
100 increased each year pursuant to this subsection. If in any
101 given year, the base amount has cumulatively increased by an
102 increment of five dollars or more from the original dollar
103 amount listed in this subsection, the late filing fee shall
104 be increased by five dollars.

105 8. If any candidate fails to file a campaign
106 disclosure report in a timely manner and that candidate is
107 assessed a late filing fee, the candidate, candidate
108 committee treasurer or assistant treasurer may file an
109 appeal of the assessment of the late filing fee with the
110 commission. The commission may forgive the assessment of
111 the late filing fee upon a showing of good cause. Such
112 appeal shall be filed within ten days of the receipt of
113 notice of the assessment of the late filing fee.

105.964. 1. When the last day of filing any report,
2 statement or other document required to be filed with the
3 commission pursuant to the provisions of this chapter or
4 chapter 130 falls on a Saturday or Sunday or on an official
5 state holiday, the deadline for filing is extended to 5:00
6 p.m. on the next day which is not a Saturday or Sunday or
7 official state holiday, unless the report, statement, or
8 other document is filed with the commission electronically,
9 then the deadline shall be 11:59 p.m.

2. The provisions of subsection 1 of this section
11 shall not apply to any report or disclosure required to be
12 filed less than eight days prior to an election when such

13 report or disclosure contains information relating to such
14 election.

15 3. The provisions of this section shall also apply to
16 any report, statement or other document required to be filed
17 with an appropriate officer, other than the ethics
18 commission, as indicated pursuant to the provisions of
19 section 130.026.

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

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

27 appointing himself or herself as a committee of one and
28 serving as the person's own treasurer, maintaining the
29 candidate's own records and filing all the reports and
30 statements required to be filed by the treasurer of a
31 candidate committee.

32 3. A candidate who has more than one candidate
33 committee supporting the person's candidacy shall designate
34 one of those candidate committees as the committee
35 responsible for consolidating the aggregate contributions to
36 all such committees under the candidate's control and
37 direction as required by section 130.041.

38 4. (1) Every committee shall have a single official
39 fund depository within this state which shall be a federally
40 or state-chartered bank, a federally or state-chartered
41 savings and loan association, or a federally or state-
42 chartered credit union in which the committee shall open and
43 thereafter maintain at least one official depository account
44 in its own name. An "official depository account" shall be
45 a checking account or some type of negotiable draft or
46 negotiable order of withdrawal account, and the official
47 fund depository shall, regarding an official depository
48 account, be a type of financial institution which provides a
49 record of deposits, cancelled checks or other cancelled
50 instruments of withdrawal evidencing each transaction by
51 maintaining copies within this state of such instruments and
52 other transactions. All contributions which the committee
53 receives in money, checks and other negotiable instruments
54 shall be deposited in a committee's official depository
55 account. Contributions shall not be accepted and
56 expenditures shall not be made by a committee except by or
57 through an official depository account and the committee
58 treasurer, deputy treasurer or candidate. Contributions
59 received by a committee shall not be commingled with any

60 funds of an agent of the committee, a candidate or any other
61 person, except that contributions from a candidate of the
62 candidate's own funds to the person's candidate committee
63 shall be deposited to an official depository account of the
64 person's candidate committee. No expenditure shall be made
65 by a committee when the office of committee treasurer is
66 vacant except that when the office of a candidate committee
67 treasurer is vacant, the candidate shall be the treasurer
68 until the candidate appoints a new treasurer.

69 (2) A committee treasurer, deputy treasurer or
70 candidate may withdraw funds from a committee's official
71 depository account and deposit such funds in one or more
72 savings accounts in the committee's name in any bank,
73 savings and loan association or credit union within this
74 state, and may also withdraw funds from an official
75 depository account for investment in the committee's name in
76 any mutual funds, certificate of deposit, bond, or
77 security. Proceeds from interest or dividends from a
78 savings account or other investment or proceeds from
79 withdrawals from a savings account or from the sale of an
80 investment shall not be expended or reinvested, except in
81 the case of renewals of certificates of deposit, without
82 first redepositing such proceeds in an official depository
83 account. Investments, other than savings accounts, held
84 outside the committee's official depository account at any
85 time during a reporting period shall be disclosed by
86 description, amount, any identifying numbers and the name
87 and address of any institution or person in which or through
88 which it is held in an attachment to disclosure reports the
89 committee is required to file. Proceeds from an investment
90 such as interest or dividends or proceeds from its sale,
91 shall be reported by date and amount. In the case of the
92 sale of an investment, the names and addresses of the

93 persons involved in the transaction shall also be stated.
94 Funds held in savings accounts and investments, including
95 interest earned, shall be included in the report of money on
96 hand as required by section 130.041.

97 (3) Notwithstanding any other provision of law to the
98 contrary, funds held in candidate committees, campaign
99 committees, debt service committees, and exploratory
100 committees shall be liquid such that these funds shall be
101 readily available for the specific and limited purposes
102 allowed by law. These funds may be invested only in mutual
103 funds or short-term treasury instruments or short-term bank
104 certificates with durations of one year or less, or that
105 allow the removal of funds at any time without any
106 additional financial penalty other than the loss of interest
107 income. Continuing committees, political party committees,
108 and other committees such as out-of-state committees not
109 formed for the benefit of any single candidate or ballot
110 issue shall not be subject to the provisions of this
111 subdivision. This subdivision shall not be interpreted to
112 restrict the placement of funds in an interest-bearing
113 checking account.

114 5. The treasurer or deputy treasurer acting on behalf
115 of any person or organization or group of persons which is a
116 committee by virtue of the definitions of committee in
117 section 130.011 and any candidate who is not excluded from
118 forming a committee in accordance with the provisions of
119 section 130.016 shall file a statement of organization with
120 the appropriate officer within twenty days after the person
121 or organization becomes a committee but no later than the
122 date for filing the first report required pursuant to the
123 provisions of section 130.046. The statement of
124 organization shall contain the following information:

125 (1) The name, mailing address and telephone number, if
126 any, of the committee filing the statement of organization.
127 If the committee is deemed to be affiliated with a connected
128 organization as provided in subdivision (11) of section
129 130.011, the name of the connected organization, or a
130 legally registered fictitious name which reasonably
131 identifies the connected organization, shall appear in the
132 name of the committee. If the committee is a candidate
133 committee, the name of the candidate shall be a part of the
134 committee's name;

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

137 (3) The name, mailing address and telephone number of
138 the committee treasurer, and the name, mailing address and
139 telephone number of its deputy treasurer if the committee
140 has named a deputy treasurer;

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

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

145 (6) The name and mailing address of its depository,
146 and the name and account number of each account the
147 committee has in the depository. The account number of each
148 account shall be redacted prior to disclosing the statement
149 to the public;

150 (7) Identification of the major nature of the
151 committee such as a candidate committee, campaign committee,
152 continuing committee, political party committee, incumbent
153 committee, or any other committee according to the
154 definition of committee in section 130.011;

155 (8) In the case of the candidate committee designated
156 in subsection 3 of this section, the full name and address
157 of each other candidate committee which is under the control

158 and direction of the same candidate, together with the name,
159 address and telephone number of the treasurer of each such
160 other committee;

161 (9) The name and office sought of each candidate
162 supported or opposed by the committee;

163 (10) The ballot measure concerned, if any, and whether
164 the committee is in favor of or opposed to such measure.

165 6. A committee may omit the information required in
166 subdivisions (9) and (10) of subsection 5 of this section
167 if, on the date on which it is required to file a statement
168 of organization, the committee has not yet determined the
169 particular candidates or particular ballot measures it will
170 support or oppose.

171 7. A committee which has filed a statement of
172 organization and has not terminated shall not be required to
173 file another statement of organization, except that when
174 there is a change in any of the information previously
175 reported as required by subdivisions (1) to (8) of
176 subsection 5 of this section an amended statement of
177 organization shall be filed within twenty days after the
178 change occurs, but no later than the date of the filing of
179 the next report required to be filed by that committee by
180 section 130.046.

181 8. Upon termination of a committee, a termination
182 statement indicating dissolution shall be filed not later
183 than ten days after the date of dissolution with the
184 appropriate officer or officers with whom the committee's
185 statement of organization was filed. The termination
186 statement shall include: the distribution made of any
187 remaining surplus funds and the disposition of any deficits;
188 and the name, mailing address and telephone number of the
189 individual responsible for preserving the committee's
190 records and accounts as required in section 130.036.

191 9. Any statement required by this section shall be
192 signed and attested by the committee treasurer or deputy
193 treasurer, and by the candidate in the case of a candidate
194 committee.

195 10. A committee domiciled outside this state shall be
196 required to file a statement of organization and appoint a
197 treasurer residing in this state and open an account in a
198 depository within this state; provided that either of the
199 following conditions prevails:

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

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

208 11. If a committee domiciled in this state receives a
209 contribution of one thousand five hundred dollars or more
210 from any committee domiciled outside of this state, the
211 committee domiciled in this state shall file a disclosure
212 report with the commission. The report shall disclose the
213 full name, mailing address, telephone numbers and domicile
214 of the contributing committee and the date and amount of the
215 contribution. The report shall be filed within forty-eight
216 hours of the receipt of such contribution if the
217 contribution is received after the last reporting date
218 before the election.

219 12. Each legislative and senatorial district committee
220 shall retain only one address in the district it sits for
221 the purpose of receiving contributions.

130.034. 1. Contributions as defined in section
2 130.011, received by any committee shall not be converted to
3 any personal use.

4 2. Contributions may be used for any purpose allowed
5 by law including, but not limited to:

6 (1) Any ordinary expenses incurred relating to a
7 campaign;

8 (2) Any ordinary and necessary expenses incurred in
9 connection with the duties of a holder of elective office;

10 (3) Any expenses associated with the duties of
11 candidacy or of elective office pertaining to the
12 entertaining of or providing social courtesies to
13 constituents, professional associations, or other holders of
14 elective office;

15 (4) The return of any contribution to the person who
16 made the contribution to the candidate or holder of elective
17 office;

18 (5) To contribute to a political organization or
19 candidate committee as allowed by law;

20 (6) To establish a new committee as defined by this
21 chapter;

22 (7) To make an unconditional gift which is fully
23 vested to any charitable, fraternal or civic organizations
24 or other associations formed to provide for some good in the
25 order of benevolence, if such candidate, former candidate or
26 holder of elective office or such person's immediate family
27 gain no direct financial benefit from the unconditional gift;

28 (8) Except when such candidate, former candidate or
29 holder of elective office dies while the committee remains
30 in existence, the committee may make an unconditional gift
31 to a fund established for the benefit of the spouse and
32 children of the candidate, former candidate or holder of

33 elective office. The provisions of this subdivision shall
34 expire October 1, 1997.

35 3. Upon the death of the candidate, former candidate
36 or holder of elective office who received such
37 contributions, all contributions shall be disposed of
38 according to this section and any funds remaining after
39 final settlement of the candidate's decedent's estate, or if
40 no estate is opened, then twelve months after the
41 candidate's death, will escheat to the state of Missouri to
42 be deposited in the general revenue fund.

43 4. No contributions, as defined in section 130.011,
44 received by a candidate, former candidate or holder of
45 elective office shall be used to make restitution payments
46 ordered of such individual by a court of law or for the
47 payment of any fine resulting from conviction of a violation
48 of any local, state or federal law.

49 5. Committees described in subdivision (17) of section
50 130.011 shall make expenditures only for the purpose of
51 determining whether an individual will be a candidate. Such
52 expenditures include polling information, mailings, personal
53 appearances, telephone expenses, office and travel expenses
54 but may not include contributions to other candidate
55 committees.

56 6. Any moneys in the exploratory committee fund may be
57 transferred to the candidate committee upon declaration of
58 candidacy for the position being explored. Such funds shall
59 be included for the purposes of reporting and limitation.
60 In the event that candidacy is not declared for the position
61 being explored, the remaining exploratory committee funds
62 shall be returned to the contributors on a pro rata basis.
63 In no event shall the amount returned exceed the amount
64 given by each contributor nor be less than ten dollars.

65 7. Funds held in candidate committees, campaign
66 committees, debt service committees, and exploratory
67 committees shall be liquid such that these funds shall be
68 readily available for the specific and limited purposes
69 allowed by law. These funds may be invested only in mutual
70 funds or in short-term treasury instruments or short-term
71 bank certificates with durations of one year or less, or
72 that allow the removal of funds at any time without any
73 additional financial penalty other than the loss of interest
74 income. Continuing committees, political party committees,
75 and other committees such as out-of-state committees not
76 formed for the benefit of any single candidate or ballot
77 issue shall not be subject to the provisions of this
78 subsection. This subsection shall not be interpreted to
79 restrict the placement of funds in an interest-bearing
80 checking account.

130.036. 1. The candidate, treasurer or deputy
2 treasurer of a committee shall maintain accurate records and
3 accounts on a current basis. The records and accounts shall
4 be maintained in accordance with accepted normal bookkeeping
5 procedures and shall contain the bills, receipts, deposit
6 records, cancelled checks and other detailed information
7 necessary to prepare and substantiate any statement or
8 report required to be filed pursuant to this chapter. Every
9 person who acts as an agent for a committee in receiving
10 contributions, making expenditures or incurring indebtedness
11 for the committee shall, on request of that committee's
12 treasurer, deputy treasurer or candidate, but in any event
13 within five days after any such action, render to the
14 candidate, committee treasurer or deputy treasurer a
15 detailed account thereof, including names, addresses, dates,
16 exact amounts and any other details required by the
17 candidate, treasurer or deputy treasurer to comply with this

18 chapter. Notwithstanding the provisions of subsection 4 of
19 section 130.021 prohibiting commingling of funds, an
20 individual, trade or professional association, business
21 entity, or labor organization which acts as an agent for a
22 committee in receiving contributions may deposit
23 contributions received on behalf of the committee to the
24 agent's account within a financial institution within this
25 state, for purposes of facilitating transmittal of the
26 contributions to the candidate, committee treasurer or
27 deputy treasurer. Such contributions shall not be held in
28 the agent's account for more than five days after the date
29 the contribution was received by the agent, and shall not be
30 transferred to the account of any other agent or person,
31 other than the committee treasurer.

32 2. Unless a contribution is rejected by the candidate
33 or committee and returned to the donor or transmitted to the
34 state treasurer within ten business days after its receipt,
35 it shall be considered received and accepted on the date
36 received, notwithstanding the fact that it was not deposited
37 by the closing date of a reporting period.

38 3. Notwithstanding the provisions of section 130.041
39 that only contributors of more than one hundred dollars
40 shall be reported by name and address for all committees,
41 the committee's records shall contain a listing of each
42 contribution received by the committee, including those
43 accepted and those which are rejected and either returned to
44 the donor or transmitted to the state treasurer. Each
45 contribution, regardless of the amount, shall be recorded by
46 date received, name and address of the contributor and the
47 amount of the contribution, except that any contributions
48 from unidentifiable persons which are received through fund-
49 raising activities and events as permitted in subsection 6
50 of section 130.031 shall be recorded to show the dates and

51 amounts of all such contributions received together with
52 information contained in statements required by subsection 6
53 of section 130.031. The procedure for recording
54 contributions shall be of a type which enables the
55 candidate, committee treasurer or deputy treasurer to
56 maintain a continuing total of all contributions received
57 from any one contributor.

58 4. Notwithstanding the provisions of section 130.041
59 that certain expenditures need not be identified in reports
60 by name and address of the payee, the committee's records
61 shall include a listing of each expenditure made and each
62 contract, promise or agreement to make an expenditure,
63 showing the date and amount of each transaction, the name
64 and address of the person to whom the expenditure was made
65 or promised, and the purpose of each expenditure made or
66 promised.

67 5. In the case of a committee which makes expenditures
68 for both the support or opposition of any candidate and the
69 passage or defeat of a ballot measure, the committee
70 treasurer shall maintain records segregated according to
71 each candidate or measure for which the expenditures were
72 made.

73 6. Records shall indicate which transactions, either
74 contributions received or expenditures made, were cash
75 transactions or in-kind transactions.

76 7. Any candidate who, pursuant to section 130.016, is
77 exempt from the requirements to form a committee shall
78 maintain records of each contribution received or
79 expenditure made in support of his candidacy. Any other
80 person or combination of persons who, although not deemed to
81 be a committee according to the definition of the term
82 "committee" in section 130.011, accepts contributions or
83 makes expenditures, other than direct contributions from the

84 person's own funds, for the purpose of supporting or
85 opposing the election or defeat of any candidate or for the
86 purpose of supporting or opposing the qualifications,
87 passage or defeat of any ballot measure shall maintain
88 records of each contribution received or expenditure made.
89 The records shall include name, address and amount
90 pertaining to each contribution received or expenditure made
91 and any bills, receipts, cancelled checks or other documents
92 relating to each transaction.

93 8. All records and accounts of receipts and
94 expenditures shall be preserved for at least three years
95 after the date of the election to which the records
96 pertain. Records and accounts regarding supplemental
97 disclosure reports or reports not required pursuant to an
98 election shall be preserved for at least three years after
99 the date of the report to which the records pertain. Such
100 records shall be available for inspection by the [campaign
101 finance review board] Missouri ethics commission and its
102 duly authorized representatives.

130.041. 1. Except as provided in subsection 5 of
2 section 130.016, the candidate, if applicable, treasurer or
3 deputy treasurer of every committee which is required to
4 file a statement of organization, shall file a legibly
5 printed or typed disclosure report of receipts and
6 expenditures. The reports shall be filed with the
7 appropriate officer designated in section 130.026 at the
8 times and for the periods prescribed in section 130.046.
9 Except as provided in sections 130.049 and 130.050, each
10 report shall set forth:

11 (1) The full name, as required in the statement of
12 organization pursuant to subsection 5 of section 130.021,
13 and mailing address of the committee filing the report and
14 the full name, mailing address and telephone number of the

15 committee's treasurer and deputy treasurer if the committee
16 has named a deputy treasurer;

17 (2) The amount of money, including cash on hand at the
18 beginning of the reporting period;

19 (3) Receipts for the period, including:

20 (a) Total amount of all monetary contributions
21 received which can be identified in the committee's records
22 by name and address of each contributor. In addition, the
23 candidate committee shall make a reasonable effort to obtain
24 and report the employer, or occupation if self-employed or
25 notation of retirement, of each person from whom the
26 committee received one or more contributions which in the
27 aggregate total in excess of one hundred dollars and shall
28 make a reasonable effort to obtain and report a description
29 of any contractual relationship over five hundred dollars
30 between the contributor and the state if the candidate is
31 seeking election to a state office or between the
32 contributor and any political subdivision of the state if
33 the candidate is seeking election to another political
34 subdivision of the state;

35 (b) Total amount of all anonymous contributions
36 accepted;

37 (c) Total amount of all monetary contributions
38 received through fund-raising events or activities from
39 participants whose names and addresses were not obtained
40 with such contributions, with an attached statement or copy
41 of the statement describing each fund-raising event as
42 required in subsection 6 of section 130.031;

43 (d) Total dollar value of all in-kind contributions
44 received;

45 (e) A separate listing by name and address and
46 employer, or occupation if self-employed or notation of
47 retirement, of each person from whom the committee received

48 contributions, in money or any other thing of value,
49 aggregating more than one hundred dollars, together with the
50 date and amount of each such contribution;

51 (f) A listing of each loan received by name and
52 address of the lender and date and amount of the loan. For
53 each loan of more than one hundred dollars, a separate
54 statement shall be attached setting forth the name and
55 address of the lender and each person liable directly,
56 indirectly or contingently, and the date, amount and terms
57 of the loan;

58 (4) Expenditures for the period, including:

59 (a) The total dollar amount of expenditures made by
60 check drawn on the committee's depository;

61 (b) The total dollar amount of expenditures made in
62 cash;

63 (c) The total dollar value of all in-kind expenditures
64 made;

65 (d) The full name and mailing address of each person
66 to whom an expenditure of money or any other thing of value
67 in the amount of more than [one] two hundred dollars has
68 been made, contracted for or incurred, together with the
69 date, amount and purpose of each expenditure. Expenditures
70 of [one] two hundred dollars or less may be grouped and
71 listed by categories of expenditure showing the total dollar
72 amount of expenditures in each category, except that the
73 report shall contain an itemized listing of each payment
74 made to campaign workers by name, address, date, amount and
75 purpose of each payment and the aggregate amount paid to
76 each such worker. The reporting threshold listed in this
77 section shall be increased as provided in this paragraph.
78 On January 1, 2025, and on January 1 of successive years,
79 the executive director of the commission shall measure the
80 increase in the cost of living by the percentage increase as

81 of the preceding July over the level as of July of the
82 immediately preceding year of the Consumer Price Index for
83 Urban Wage Earners and Clerical Workers (CPI-W) or successor
84 index as published by the U.S. Department of Labor or its
85 successor agency. On January 1, 2025, the dollar amount
86 listed in this paragraph shall be increased by the
87 percentage increase in the cost of living as measured in
88 this paragraph, and this shall be known as the base amount.
89 The base amount shall be the dollar amount that is increased
90 each year pursuant to this paragraph. If in any given year,
91 the base amount has cumulatively increased by an increment
92 of five dollars or more from the original dollar amount
93 listed in this paragraph, the reporting threshold shall be
94 increased by five dollars;

95 (e) A list of each loan made, by name and mailing
96 address of the person receiving the loan, together with the
97 amount, terms and date;

98 (5) The total amount of cash on hand as of the closing
99 date of the reporting period covered, including amounts in
100 depository accounts and in petty cash fund;

101 (6) The total amount of outstanding indebtedness as of
102 the closing date of the reporting period covered;

103 (7) The amount of expenditures for or against a
104 candidate or ballot measure during the period covered and
105 the cumulative amount of expenditures for or against that
106 candidate or ballot measure, with each candidate being
107 listed by name, mailing address and office sought. For the
108 purpose of disclosure reports, expenditures made in support
109 of more than one candidate or ballot measure or both shall
110 be apportioned reasonably among the candidates or ballot
111 measure or both. In apportioning expenditures to each
112 candidate or ballot measure, political party committees and
113 continuing committees need not include expenditures for

114 maintaining a permanent office, such as expenditures for
115 salaries of regular staff, office facilities and equipment
116 or other expenditures not designed to support or oppose any
117 particular candidates or ballot measures; however, all such
118 expenditures shall be listed pursuant to subdivision (4) of
119 this subsection;

120 (8) A separate listing by full name and address of any
121 committee including a candidate committee controlled by the
122 same candidate for which a transfer of funds or a
123 contribution in any amount has been made during the
124 reporting period, together with the date and amount of each
125 such transfer or contribution;

126 (9) A separate listing by full name and address of any
127 committee, including a candidate committee controlled by the
128 same candidate from which a transfer of funds or a
129 contribution in any amount has been received during the
130 reporting period, together with the date and amount of each
131 such transfer or contribution;

132 (10) Each committee that receives a contribution which
133 is restricted or designated in whole or in part by the
134 contributor for transfer to a particular candidate,
135 committee or other person shall include a statement of the
136 name and address of that contributor in the next disclosure
137 report required to be filed after receipt of such
138 contribution, together with the date and amount of any such
139 contribution which was so restricted or designated by that
140 contributor, together with the name of the particular
141 candidate or committee to whom such contribution was so
142 designated or restricted by that contributor and the date
143 and amount of such contribution.

144 2. For the purpose of this section and any other
145 section in this chapter except sections 130.049 and 130.050
146 which requires a listing of each contributor who has

147 contributed a specified amount, the aggregate amount shall
148 be computed by adding all contributions received from any
149 one person during the following periods:

150 (1) In the case of a candidate committee, the period
151 shall begin on the date on which the candidate became a
152 candidate according to the definition of the term
153 "candidate" in section 130.011 and end at 11:59 p.m. on the
154 day of the primary election, if the candidate has such an
155 election or at 11:59 p.m. on the day of the general
156 election. If the candidate has a general election held
157 after a primary election, the next aggregating period shall
158 begin at 12:00 midnight on the day after the primary
159 election day and shall close at 11:59 p.m. on the day of the
160 general election. Except that for contributions received
161 during the thirty-day period immediately following a primary
162 election, the candidate shall designate whether such
163 contribution is received as a primary election contribution
164 or a general election contribution;

165 (2) In the case of a campaign committee, the period
166 shall begin on the date the committee received its first
167 contribution and end on the closing date for the period for
168 which the report or statement is required;

169 (3) In the case of a political party committee or a
170 continuing committee, the period shall begin on the first
171 day of January of the year in which the report or statement
172 is being filed and end on the closing date for the period
173 for which the report or statement is required; except, if
174 the report or statement is required to be filed prior to the
175 first day of July in any given year, the period shall begin
176 on the first day of July of the preceding year.

177 3. The disclosure report shall be signed and attested
178 by the committee treasurer or deputy treasurer and by the
179 candidate in case of a candidate committee.

180 4. The words "consulting or consulting services, fees,
181 or expenses", or similar words, shall not be used to
182 describe the purpose of a payment as required in this
183 section. The reporting of any payment to such an
184 independent contractor shall be on a form supplied by the
185 appropriate officer, established by the ethics commission
186 and shall include identification of the specific service or
187 services provided including, but not limited to, public
188 opinion polling, research on issues or opposition
189 background, print or broadcast media production, print or
190 broadcast media purchase, computer programming or data
191 entry, direct mail production, postage, rent, utilities,
192 phone solicitation, or fund raising, and the dollar amount
193 prorated for each service.

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

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

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

19 and such report shall be for the period closing on the day
20 before taking office; and

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

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

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

38 (1) In addition to the disclosure reports required to
39 be filed pursuant to subsection 1 of this section the
40 treasurer of a committee, other than a continuing committee,
41 supporting or opposing a petition effort to qualify a
42 measure to appear on the ballot or to remove an incumbent
43 from office shall file an initial disclosure report fifteen
44 days after the committee begins the process of raising or
45 spending money. After such initial report, the committee
46 shall file quarterly disclosure reports as required by
47 subdivision (3) of subsection 1 of this section until such
48 time as the reports required by subdivisions (1) and (2) of
49 subsection 1 of this section are to be filed. In addition
50 the committee shall file a second disclosure report no later
51 than the fifteenth day after the deadline date for

52 submitting such petition. The period covered in the initial
53 report shall begin on the day the committee first accepted
54 contributions or made expenditures to support or oppose the
55 petition effort for qualification of the measure and shall
56 close on the fifth day prior to the date of the report;

57 (2) If the measure has qualified to be on the ballot
58 in an election and if a committee subject to the
59 requirements of subdivision (1) of this subsection is also
60 required to file a preelection disclosure report for such
61 election any time within thirty days after the date on which
62 disclosure reports are required to be filed in accordance
63 with subdivision (1) of this subsection, the treasurer of
64 such committee shall not be required to file the report
65 required by subdivision (1) of this subsection, but shall
66 include in the committee's preelection report all
67 information which would otherwise have been required by
68 subdivision (1) of this subsection.

69 3. The candidate, if applicable, treasurer or deputy
70 treasurer of a committee shall file disclosure reports
71 pursuant to this section, except for any calendar quarter in
72 which the contributions received by the committee or the
73 expenditures or contributions made by the committee do not
74 exceed five hundred dollars. The reporting dates and
75 periods covered for such quarterly reports shall not be
76 later than the fifteenth day of January, April, July and
77 October for periods closing on the thirty-first day of
78 December, the thirty-first day of March, the thirtieth day
79 of June and the thirtieth day of September. No candidate,
80 treasurer or deputy treasurer shall be required to file the
81 quarterly disclosure report required not later than the
82 fifteenth day of any January immediately following a
83 November election, provided that such candidate, treasurer
84 or deputy treasurer shall file the information required on

85 such quarterly report on the quarterly report to be filed
86 not later than the fifteenth day of April immediately
87 following such November election. Each report by such
88 committee shall be cumulative from the date of the last
89 report. In the case of the continuing committee's first
90 report, the report shall be cumulative from the date of the
91 continuing committee's organization. Every candidate,
92 treasurer or deputy treasurer shall file, at a minimum, the
93 campaign disclosure reports covering the quarter immediately
94 preceding the date of the election and those required by
95 subdivisions (1) and (2) of subsection 1 of this section. A
96 continuing committee shall submit additional reports if it
97 makes aggregate expenditures, other than contributions to a
98 committee, of five hundred dollars or more, within the
99 reporting period at the following times for the following
100 periods:

101 (1) Not later than the eighth day before an election
102 for the period closing on the twelfth day before the
103 election;

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

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

110 4. The reports required to be filed no later than the
111 thirtieth day after an election and any subsequently
112 required report shall be cumulative so as to reflect the
113 total receipts and disbursements of the reporting committee
114 for the entire election campaign in question. The period
115 covered by each disclosure report shall begin on the day
116 after the closing date of the most recent disclosure report
117 filed and end on the closing date for the period covered.

118 If the committee has not previously filed a disclosure
119 report, the period covered begins on the date the committee
120 was formed; except that in the case of a candidate
121 committee, the period covered begins on the date the
122 candidate became a candidate according to the definition of
123 the term candidate in section 130.011.

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

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

130 (a) If there are less than fifty days between a
131 primary election and the immediately succeeding general
132 election, the disclosure report required to be filed
133 quarterly; provided that, any other report required to be
134 filed prior to the primary election and all other reports
135 required to be filed not later than the eighth day before
136 the general election are filed no later than the final dates
137 for filing such reports;

138 (b) If there are less than eighty-five days between a
139 primary election and the immediately succeeding general
140 election, the disclosure report required to be filed not
141 later than the thirtieth day after the primary election need
142 not be filed; provided that any report required to be filed
143 prior to the primary election and any other report required
144 to be filed prior to the general election are filed no later
145 than the final dates for filing such reports; and

146 (2) No disclosure report needs to be filed for any
147 reporting period if during that reporting period the
148 committee has neither received contributions aggregating
149 more than five hundred dollars nor made expenditure
150 aggregating more than five hundred dollars and has not

151 received contributions aggregating more than three hundred
152 dollars from any single contributor and if the committee's
153 treasurer files a statement with the appropriate officer
154 that the committee has not exceeded the identified
155 thresholds in the reporting period. Any contributions
156 received or expenditures made which are not reported because
157 this statement is filed in lieu of a disclosure report shall
158 be included in the next disclosure report filed by the
159 committee. This statement shall not be filed in lieu of the
160 report for two or more consecutive disclosure periods if
161 either the contributions received or expenditures made in
162 the aggregate during those reporting periods exceed five
163 hundred dollars. This statement shall not be filed, in lieu
164 of the report, later than the thirtieth day after an
165 election if that report would show a deficit of more than
166 one thousand dollars.

167 6. (1) If the disclosure report required to be filed
168 by a committee not later than the thirtieth day after an
169 election shows a deficit of unpaid loans and other
170 outstanding obligations in excess of five thousand dollars,
171 semiannual supplemental disclosure reports shall be filed
172 with the appropriate officer for each succeeding semiannual
173 period until the deficit is reported in a disclosure report
174 as being reduced to five thousand dollars or less; except
175 that, a supplemental semiannual report shall not be required
176 for any semiannual period which includes the closing date
177 for the reporting period covered in any regular disclosure
178 report which the committee is required to file in connection
179 with an election. The reporting dates and periods covered
180 for semiannual reports shall be not later than the fifteenth
181 day of January and July for periods closing on the thirty-
182 first day of December and the thirtieth day of June.

183 (2) Committees required to file reports pursuant to
184 subsection 2 or 3 of this section which are not otherwise
185 required to file disclosure reports for an election shall
186 file semiannual reports as required by this subsection if
187 their last required disclosure report shows a total of
188 unpaid loans and other outstanding obligations in excess of
189 five thousand dollars.

190 7. In the case of a committee which disbands and is
191 required to file a termination statement pursuant to the
192 provisions of section 130.021 with the appropriate officer
193 not later than the tenth day after the committee was
194 dissolved, the candidate, committee treasurer or deputy
195 treasurer shall attach to the termination statement a
196 complete disclosure report for the period closing on the
197 date of dissolution. A committee shall not utilize the
198 provisions of subsection 8 of section 130.021 or the
199 provisions of this subsection to circumvent or otherwise
200 avoid the reporting requirements of subsection 6 or 7 of
201 this section.

202 8. Disclosure reports shall be filed with the
203 appropriate officer not later than 5:00 p.m. [prevailing
204 local time] of the day designated for the filing of the
205 report and a report postmarked not later than midnight of
206 the day previous to the day designated for filing the report
207 shall be deemed to have been filed in a timely manner. The
208 appropriate officer may establish a policy whereby
209 disclosure reports may be filed by facsimile transmission.
210 Notwithstanding the requirements of this subsection, the
211 deadline for the filing of any disclosure report, where the
212 appropriate officer is the Missouri ethics commission and
213 the report is filed electronically, shall be not later than
214 11:59 p.m. of the day designated for the filing of the
215 report.

216 9. Each candidate for the office of state
217 representative, state senator, and for statewide elected
218 office shall file all disclosure reports described in
219 section 130.041 electronically with the Missouri ethics
220 commission. The Missouri ethics commission shall promulgate
221 rules establishing the standard for electronic filings with
222 the commission and shall propose such rules for the
223 importation of files to the reporting program.

224 10. (1) The executive director of the Missouri ethics
225 commission may extend the deadline for the filing of any
226 report or statement to be filed with the commission pursuant
227 to this chapter if, in the discretion of the executive
228 director, there are extraordinary circumstances affecting
229 the commission's ability to accept electronic filings from
230 all filers, provided that such deadline extension shall not
231 extend more than two business days, exclusive of Saturdays,
232 Sundays, or official state holidays beyond the established
233 deadline.

234 (2) The executive director of the Missouri ethics
235 commission may extend the deadline for the filing of any
236 report or statement to be filed with the commission pursuant
237 to this chapter if there has been a governor-declared state
238 of emergency, provided such extension shall not extend
239 beyond thirty days.

240 11. Any rule or portion of a rule, as that term is
241 defined in section 536.010, that is created under the
242 authority delegated in this section shall become effective
243 only if it complies with and is subject to all of the
244 provisions of chapter 536 and, if applicable, section
245 536.028. This section and chapter 536 are nonseverable and
246 if any of the powers vested with the general assembly
247 pursuant to chapter 536 to review, to delay the effective
248 date, or to disapprove and annul a rule are subsequently

249 held unconstitutional, then the grant of rulemaking
250 authority and any rule proposed or adopted after August 28,
251 2006, shall be invalid and void.

130.056. 1. The executive director of the Missouri
2 ethics commission shall:

3 (1) Take such steps as are necessary to disseminate
4 among the general public such information as may serve to
5 guide all persons who are or may become subject to the
6 provisions of this chapter for the purpose of facilitating
7 voluntary compliance with the purposes and provisions of
8 this chapter;

9 (2) Be responsible for expediting the filing of all
10 reports, statements and other information required to be
11 filed pursuant to the provisions of this chapter and, in
12 connection therewith, be responsible for developing
13 procedures whereby all candidates shall be informed of the
14 provisions of section 130.016 so as to assure the timely
15 filing of statements which some candidates are eligible to
16 file as provided in section 130.016;

17 (3) Develop and publish forms and printed
18 instructional material and furnish such forms and
19 instructions to persons required to file reports and
20 statements pursuant to the provisions of this chapter,
21 together with a summary of the provisions of chapter 115,
22 which apply to candidates and committees covered by this
23 chapter, provided, however, such forms shall not seek
24 information which is not specifically required by this
25 chapter. All forms furnished pursuant to this chapter shall
26 clearly state in readable type on the face of the form the
27 date on which the form became effective. The forms
28 published by the executive director shall provide for
29 compliance with reporting and other provisions of this
30 chapter. Any report form published by the executive

31 director for purposes of compliance with section 130.041
32 shall provide for reporting contributions from individuals,
33 corporations, labor organizations and fictitious entities
34 and contributions from committees on the same form.
35 Contributions from committees shall be listed first on each
36 report form. All expenditures shall also be reported on a
37 single report form;

38 (4) Develop a filing, coding and cross-indexing system
39 for reports and statements required to be filed with the
40 Missouri ethics commission, and preserve such reports and
41 statements for a period of not less than five years from
42 date of receipt;

43 (5) Make the reports and statements filed with the
44 Missouri ethics commission available for public inspection
45 and copying, commencing as soon as practicable but not later
46 than the end of the second day after which a report was
47 received, and permit copying of any such report or statement
48 by hand or by duplicating machine, as requested by any
49 person, at the expense of such person, but no information
50 obtained from such reports and statements shall be sold or
51 utilized by any person for any commercial purpose;

52 (6) Examine each report and statement filed with the
53 Missouri ethics commission pursuant to the requirements of
54 this chapter to determine if the statements are properly
55 completed and filed within the time required by this chapter;

56 (7) Notify a person required to file a report or
57 statement pursuant to this chapter with the Missouri ethics
58 commission immediately if, upon examination of the official
59 ballot or other circumstances surrounding any election, it
60 appears that the person has failed to file a report or
61 statement as required by law;

62 (8) From reports filed with the Missouri ethics
63 commission, prepare and publish an annual report including

64 compilations of amounts contributed and expended for the
65 influencing of nominations and elections;

66 (9) Prepare and publish such other reports as the
67 Missouri ethics commission deems appropriate;

68 (10) Disseminate statistics, summaries, and reports
69 prepared under this chapter;

70 (11) Employ staff and retain such contract services,
71 including legal services to represent the commission before
72 any state agency or before the courts as the executive
73 director deems necessary within the limits authorized by
74 appropriation by the general assembly.

75 2. Each appropriate officer other than the executive
76 director of the Missouri ethics commission shall:

77 (1) Assist the executive director in furnishing forms
78 and printed instructional material to persons required to
79 file reports and statements pursuant to the provisions of
80 this chapter;

81 (2) Accept reports and statements required to be filed
82 with the person's office;

83 (3) Develop for the officer's constituency a filing,
84 coding, and cross-indexing system consonant with the
85 purposes of this chapter;

86 (4) Make the reports and statements filed with the
87 officer available for public inspection and copying,
88 commencing as soon as practicable but not later than the end
89 of the second day after which a report was received, and
90 permit copying of any such report or statement by hand or by
91 duplicating machine, as requested by any person, at the
92 expense of such person, but no information obtained from
93 such reports and statements shall be sold or utilized by any
94 person for any commercial purpose;

95 (5) Preserve such reports and statements for a period
96 of not less than five years from the date of receipt;

97 (6) Examine each report and statement filed with the
98 person's office pursuant to the requirements of this chapter
99 to determine if the reports and statements appear to be
100 complete and filed within the required time;

101 (7) Notify a person required to file a report or
102 statement pursuant to this chapter immediately if, upon
103 examination of the circumstances surrounding any election,
104 it appears that the person has failed to file a report or
105 statement as required by law;

106 (8) Notify the Missouri ethics commission if the
107 person has reasonable cause to believe that a violation of
108 this chapter has occurred;

109 (9) Assess every candidate for state or local office
110 failing to file with a local election authority pursuant to
111 section 130.026, a campaign disclosure report as required by
112 this chapter other than the report required pursuant to
113 subdivision (1) of subsection 1 of section 130.046, a late
114 filing fee of [ten] twenty dollars for each day such report
115 is due to the election authority. The local election
116 authority shall mail a notice, by registered mail, to any
117 candidate and candidate committee treasurer and deputy
118 treasurer who fails to file such report informing such
119 person of such failure and the fees provided by this
120 subdivision. If the candidate persists in such failure for
121 a period in excess of thirty days beyond the receipt of such
122 notice, the amount of the late filing fee shall increase to
123 one hundred dollars for each day that the report is not
124 filed, provided that the total amount of such fees assessed
125 pursuant to this subsection per report shall not exceed
126 three hundred dollars. The late filing fees listed in this
127 section shall be increased as provided in this subdivision.
128 On January 1, 2025, and on January 1 of successive years,
129 the executive director of the commission shall measure the

130 increase in the cost of living by the percentage increase as
131 of the preceding July over the level as of July of the
132 immediately preceding year of the Consumer Price Index for
133 Urban Wage Earners and Clerical Workers (CPI-W) or successor
134 index as published by the U.S. Department of Labor or its
135 successor agency. On January 1, 2025, the fee listed in
136 this subdivision shall be increased by the percentage
137 increase in the cost of living as measured in this
138 subdivision, and this shall be known as the base amount.
139 The base amount shall be the dollar amount that is increased
140 each year pursuant to this subdivision. If in any given
141 year, the base amount has cumulatively increased by an
142 increment of five dollars or more from the original fee
143 listed in this subdivision, the late filing fee shall be
144 increased by five dollars.

145 3. Any person receiving from an appropriate officer a
146 copy of, or who is permitted to inspect or make a copy of,
147 any report or statement filed pursuant to the requirements
148 of this chapter shall sign a statement that the person will
149 not utilize the reports or statements or any information
150 thereon for any commercial use, except for public news
151 reporting, whatsoever and will not transfer the information
152 obtained to any other persons for such purposes. It shall
153 be the responsibility of each appropriate officer to
154 instruct any person making a request to inspect, copy or
155 receive a copy of any report or statement or any portion of
156 a report or statement filed pursuant to this chapter that
157 the utilization of any information obtained from such
158 reports for any commercial purpose is a violation of this
159 chapter.

347.163. 1. Every foreign limited liability company
2 now transacting business in or which may hereafter transact
3 business in this state which shall neglect or fail to comply

4 with the provisions of section 347.153 shall be subject to a
5 fine of not less than one thousand dollars. If the
6 secretary is advised that a foreign limited liability
7 company is transacting business within this state in
8 contravention of sections 347.010 to 347.187, the secretary
9 shall report the fact to the prosecuting attorney of any
10 county in which the limited liability company is transacting
11 business, and the prosecuting attorney shall, as soon
12 thereafter as is practical, institute proceedings to recover
13 the fine prescribed in this section. In addition to such
14 penalty, no foreign limited liability company failing to
15 comply with sections 347.010 to 347.187 may maintain any
16 suit or action, either legal or equitable, in any of the
17 courts of this state, upon any demand, whether arising out
18 of contract or tort, while the requirements of sections
19 347.010 to 347.187 have not been met.

20 2. The failure of a foreign limited liability company
21 to register in this state does not impair the validity of
22 any contract or act of the foreign limited liability company
23 or prevent the foreign limited liability company from
24 defending any action, suit or proceeding in any court of
25 this state.

26 3. A member of a foreign limited liability company is
27 not liable for any debts, obligations or liabilities of the
28 foreign limited liability company solely by reason of having
29 transacted business in this state without registration.

30 4. A foreign limited liability company, by transacting
31 business in this state without registration, shall be
32 subject to the provisions of sections 506.500 to 506.520
33 with respect to causes of actions arising out of the
34 transaction of business in this state.

35 5. Without excluding other activities which may not
36 constitute transacting business in this state, a foreign

37 limited liability company shall not be considered to be
38 transacting business in this state, for purposes of sections
39 347.010 to 347.187, by reason of carrying on in this state
40 any one or more of the following activities:

41 (1) Maintaining or defending any action or suit or any
42 administrative or arbitration proceeding, or effecting the
43 settlement thereof or the settlement of claims or disputes;

44 (2) Holding meetings of its members or carrying on
45 other activities concerning its internal affairs;

46 (3) Maintaining bank accounts;

47 (4) Borrowing money or creating evidence of debt,
48 mortgage or lien on or other security interest in real or
49 personal property;

50 (5) Securing or collecting debts or enforcing any
51 rights in properties securing the same;

52 (6) Transacting any business in interstate commerce;

53 [or]

54 (7) Conducting an isolated transaction completed
55 within a period of thirty days and not in the course of a
56 number of repeated transactions of a like nature; or

57 (8) Making a contribution, as that term is defined in
58 section 130.011, to any committee, as that term is defined
59 in Article VIII, Section 23 of the Missouri Constitution.

60 6. A foreign corporation, as defined in section
61 351.015 or section 355.066, shall not be deemed to be
62 transacting business in this state for the purposes of
63 section 351.572 solely for the reason that it is a member of
64 a limited liability company.

65 7. A foreign limited partnership or foreign registered
66 limited liability limited partnership, as defined in section
67 359.011, shall not be deemed to be transacting business in
68 this state for the purposes of section 359.551 solely for

69 the reason that it is a member of a limited liability
70 company.

71 8. A foreign limited liability company as defined in
72 sections 347.010 to 347.187 shall not be deemed to be
73 transacting business in this state for the purposes of this
74 section, solely for the reason that it is a member of a
75 limited liability company.

76 9. A foreign registered limited liability partnership,
77 as defined in section 358.020, shall not be deemed to be
78 transacting business in this state for the purposes of
79 section 351.572 solely for the reason that it is a member of
80 a limited liability company.

81 10. The provisions of this section do not apply in
82 determining the context or activities which may subject a
83 foreign limited liability company to service of process,
84 suit, taxation or regulation under any other statute of this
85 state.