

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 678

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEIGFREID.

Read 1st time February 7, 2001, and 1000 copies ordered printed.

Read 2nd time February 8, 2001, and referred to the Committee on Elections, February 15, 2001.

Reported from the Committee on Elections, March 15, 2001, with recommendation that the bill Do Pass.

Taken up for Perfection April 24, 2001. Bill ordered Perfected and printed, as amended.

TED WEDEL, Chief Clerk

0952L.01P

AN ACT

To repeal sections 105.473, 105.475, 105.477, 105.961, 130.011, 130.016, 130.021, 130.026, 130.031, 130.032, 130.041, 130.046, 130.049, 130.050, 130.056 and 130.081, RSMo 2000, relating to ethics, and to enact in lieu thereof nineteen new sections relating to the same subject, with penalty provisions.

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

Section A. Sections 105.473, 105.475, 105.477, 105.961, 130.011, 130.016, 130.021,
2 130.026, 130.031, 130.032, 130.041, 130.046, 130.049, 130.050, 130.056 and 130.081, RSMo
3 2000, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections
4 105.473, 105.475, 105.477, 105.961, 130.011, 130.016, 130.021, 130.026, 130.031, 130.032,
5 130.041, 130.046, 130.049, 130.056, 130.062, 130.063, 130.077, 130.081 and Section 1, to read
6 as follows:

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

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

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

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

20 3. (1) During any period of time in which a lobbyist continues to act as an executive
21 lobbyist, judicial lobbyist or a legislative lobbyist, the lobbyist shall file with the commission on
22 standardized forms prescribed by the commission monthly reports which shall be due at the close
23 of business on the tenth day of the following month;

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

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

32 (b) An itemized listing of the name of the recipient and the nature and amount of each
33 expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of
34 value, for all expenditures made during any reporting period, paid or provided to or for a public
35 official, such official's staff, employees, spouse or dependent children;

36 (c) The total of all expenditures made by a lobbyist or lobbyist principal for occasions
37 and the identity of the group invited, the date and description of the occasion and the amount of
38 the expenditure for each occasion when any of the following are invited in writing:

39 a. All members of the senate;

40 b. All members of the house of representatives;

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

43 d. All members of a caucus of the general assembly if the caucus consists of at least ten

44 members, a list of the members of the caucus has been previously filed with the ethics committee
45 of the house or the senate, and such list has been approved by either of such ethics committees;

46 (d) Any expenditure made on behalf of a public official, or the public official's staff,
47 employees, spouse or dependent children, if such expenditure is solicited by such public official,
48 the public official's staff, employees, or spouse or dependent children, from the lobbyist or his
49 or her lobbyist principals and the name of such person or persons, except any expenditures made
50 to any not for profit corporation, charitable, fraternal or civic organization or other association
51 formed to provide for good in the order of benevolence;

52 (e) A statement detailing any direct business relationship or association or partnership
53 the lobbyist has with any public official.

54

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

57 4. No expenditure reported pursuant to this section shall include any amount expended
58 by a lobbyist or lobbyist principal on himself or herself. **No expenditure reported pursuant**
59 **to this section shall include any payment, gift, compensation, fee expenditure or anything**
60 **of value which is bestowed upon or given to any public official or a staff member,**
61 **employee, spouse or dependent child of a public official when it is compensation for**
62 **employment or given as an employment benefit and when such employment is in addition**
63 **to their employment as a public official. No expenditure reported pursuant to this section**
64 **shall include any non-cash gift which is bestowed upon or given to any public official or**
65 **a staff member, employee, spouse or dependent child of a public official when it is on the**
66 **occasion of nuptials or condolences due to death.** All expenditures disclosed pursuant to this
67 section shall be valued on the report at the actual amount of the payment made, or the charge,
68 expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist
69 represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the
70 lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such
71 lobbyists.

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

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

79 7. No person shall knowingly employ any person who is required to register as a

80 registered lobbyist but is not registered pursuant to this section. Any person who knowingly
81 violates this subsection shall be subject to a civil penalty in an amount of not more than ten
82 thousand dollars for each violation. Such civil penalties shall be collected by action filed by the
83 commission.

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

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

89 10. Any public official or other person whose name appears in any lobbyist report filed
90 pursuant to this section who contests the accuracy of the portion of the report applicable to such
91 person may petition the commission for an audit of such report and shall state in writing in such
92 petition the specific disagreement with the contents of such report. The commission shall
93 investigate such allegations in the manner described in section 105.959. If the commission
94 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter
95 an order requiring filing of an amended or corrected report.

96 11. The commission shall provide a report listing the total spent by a lobbyist for the
97 month and year to any member or member-elect of the general assembly, judge or judicial
98 officer, or any other person holding an elective office of state government on or before the
99 twentieth day of each month. For the purpose of providing accurate information to the public,
100 the commission shall not publish information in either written or electronic form for ten working
101 days after providing the report pursuant to this subsection. The commission shall not release any
102 portion of the lobbyist report if the accuracy of the report has been questioned pursuant to
103 subsection 10 of this section unless it is conspicuously marked "Under Review".

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

105.475. [1. The provisions of sections 105.470 to 105.473 shall not apply to any public
2 official or a staff member, employee, spouse or dependent child of a public official when
3 employed by a lobbyist principal and who is acting on behalf of the lobbyist principal in their
4 employment, except if such person's employment is as a lobbyist for the lobbyist principal.

5 2.] The provisions of sections 105.470 to 105.473 shall not apply to any member of
6 a union who is acting in either an employment capacity or contractual capacity in association
7 with the union, except if such person's employment or contractual capacity is as a lobbyist for

8 the union.

105.477. 1. The commission shall supply [a computer program] **an electronic reporting**
2 **system** which shall be used for filing by [modem or by a common magnetic media chosen]
3 **electronic format prescribed** by the commission. The [computer program] **electronic**
4 **reporting system** shall be able to run [on DOS,] **under the** Windows or Macintosh **operating**
5 **environment with minimum standards set by the commission** [based personal computers or
6 run on any other common personal computer operating environment which may become
7 available in the future].

8 2. The commission shall have the appropriate software and hardware in place by
9 January 1, 1998, for acceptance of reports electronically. The commission shall make this
10 information available via an Internet Web site connection by no later than January 1, 1999.

11 3. All lobbyists shall file expenditure reports required by the commission electronically
12 either through modem or common magnetic media. In addition, lobbyists shall file a signed form
13 prescribed by the commission which verifies the information filed electronically within five
14 working days; except that, [if] **when** a means becomes available which will allow a verifiable
15 electronic signature, the commission may accept this in lieu of a [written statement] **signed**
16 **form**.

17 4. All records that are in electronic format, not otherwise closed by law, shall be
18 available in electronic format to the public. The commission shall maintain and provide for
19 public inspection, a listing of all reports, with a complete description for each field contained on
20 the report, that has been used to extract information from their database files. The commission
21 shall develop a report or reports which contain every field in each database.

22 5. Annually, the commission shall provide[, without cost, a system-wide dump of] **to the**
23 **general assembly at no cost a complete copy of** information contained in the commission's
24 electronic **reporting** database files [to the general assembly]. The information [is to] **shall** be
25 copied onto a medium specified by the general assembly. Such information shall not contain
26 records otherwise closed by law. It is the intent of the general assembly to provide open access
27 to the commission's records. The commission shall make every reasonable effort to comply with
28 requests for information and shall take a liberal interpretation when considering such requests.
29 Priority shall be given to public requests for reports identifying lobbyist or lobbyist principal
30 expenditures per individual legislator.

105.961. 1. Upon receipt of a complaint as described by section 105.957, the
2 commission shall assign the complaint to a special investigator, who may be a commission
3 employee, who shall investigate and determine the merits of the complaint. Within ten days of
4 such assignment, the special investigator shall review such complaint and disclose, in writing,
5 to the commission any conflict of interest which the special investigator has or might have with

6 respect to the investigation and subject thereof. Within one hundred twenty days of receipt of
7 the complaint from the commission, the special investigator shall submit the special
8 investigator's report to the commission. The commission, after review of such report, shall
9 determine:

10 (1) That there is reasonable grounds for belief that a violation has occurred; or

11 (2) That there are no reasonable grounds for belief that a violation exists and the
12 complaint should be dismissed; or

13 (3) That additional time is necessary to complete the investigation, and the status and
14 progress of the investigation to date. The commission, in its discretion, may allow the
15 investigation to proceed for additional successive periods of one hundred twenty days each,
16 pending reports regarding the status and progress of the investigation at the end of each such
17 period.

18 2. When the commission concludes, based on the report from the special investigator,
19 or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds
20 to believe that a violation of any criminal law has occurred, and if the commission believes that
21 criminal prosecution would be appropriate upon a vote of **at least** four members of the
22 commission, the commission shall refer the report to the Missouri office of prosecution services,
23 prosecutors coordinators training council established in section 56.760, RSMo, which shall
24 submit a panel of five attorneys for recommendation to the court having criminal jurisdiction,
25 for appointment of an attorney to serve as a special prosecutor; except that, the attorney general
26 of Missouri or any assistant attorney general shall not act as such special prosecutor. The court
27 shall then appoint from such panel a special prosecutor pursuant to section 56.110, RSMo, who
28 shall have all the powers provided by section 56.130, RSMo. The court shall allow a reasonable
29 and necessary attorney's fee for the services of the special prosecutor. Such fee shall be assessed
30 as costs if a case is filed, or ordered by the court if no case is filed, and paid together with all
31 other costs in the proceeding by the state, in accordance with rules and regulations promulgated
32 by the state courts administrator, subject to funds appropriated to the office of administration for
33 such purposes. If the commission does not have sufficient funds to pay a special prosecutor, the
34 commission shall refer the case to the prosecutor or prosecutors having criminal jurisdiction.
35 If the prosecutor having criminal jurisdiction is not able to prosecute the case due to a conflict
36 of interest, the court may appoint a special prosecutor, paid from county funds, upon
37 appropriation by the county or the attorney general to investigate and, if appropriate, prosecute
38 the case. The special prosecutor or prosecutor shall commence an action based on the report by
39 the filing of an information or seeking an indictment within sixty days of the date of such
40 prosecutor's appointment, or shall file a written statement with the commission explaining why
41 criminal charges should not be sought. If the special prosecutor or prosecutor fails to take either

42 action required by this subsection, upon request of the commission, a new special prosecutor,
43 who may be the attorney general, shall be appointed. The report may also be referred to the
44 appropriate disciplinary authority over the person who is the subject of the report.

45 3. When the commission concludes, based on the report from the special investigator or
46 based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to
47 believe that a violation of any law has occurred which is not a violation of criminal law or that
48 criminal prosecution is not appropriate, the commission [shall] **may** conduct a hearing which
49 shall be a closed meeting and not open to the public. The hearing shall be conducted pursuant
50 to the procedures provided by sections 536.063 to 536.090, RSMo, and shall be considered to
51 be a contested case for purposes of such sections. The commission shall determine, in its
52 discretion, whether or not that there is probable cause that a violation has occurred. If the
53 commission determines, by a vote of at least four members of the commission, that probable
54 cause exists that a violation has occurred, the commission may refer its findings and conclusions
55 to the appropriate disciplinary authority over the person who is the subject of the report, as
56 described in subsection 7 of this section. **If the commission determines by a vote of at least**
57 **four members that a hearing is not appropriate, the commission may, by a vote of at least**
58 **four members, seek an agreement with the party or parties determined to have violated the**
59 **provisions of subsection 1 of section 105.957, and the commission may collect a fee for such**
60 **violation in an amount not greater than one thousand dollars.** After the commission
61 determines by a vote of at least four members of the commission that probable cause exists that
62 a violation has occurred, and the commission has referred the findings and conclusions to the
63 appropriate disciplinary authority over the person subject of the report, the subject of the report
64 may appeal the determination of the commission to the administrative hearing commission.
65 Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed
66 not later than the fourteenth day after the subject of the commission's action receives actual
67 notice of the commission's action.

68 4. If the appropriate disciplinary authority receiving a report from the commission
69 pursuant to subsection 3 of this section fails to follow, within sixty days of the receipt of the
70 report, the recommendations contained in the report, or if the commission determines, by a vote
71 of at least four members of the commission that some action other than referral for criminal
72 prosecution or for action by the appropriate disciplinary authority would be appropriate, the
73 commission shall take any one or more of the following actions:

74 (1) Notify the person to cease and desist violation of any provision of law which the
75 report concludes was violated and that the commission may seek judicial enforcement of its
76 decision pursuant to subsection 5 of this section;

77 (2) Notify the person of the requirement to file, amend or correct any report, statement,

78 or other document or information required by sections 105.473, 105.483 to 105.492, or chapter
79 130, RSMo, and that the commission may seek judicial enforcement of its decision pursuant to
80 subsection 5 of this section; and

81 (3) File the report with the executive director to be maintained as a public document; or

82 (4) Issue a letter of concern or letter of reprimand to the person, which would be
83 maintained as a public document; or

84 (5) Issue a letter that no further action shall be taken, which would be maintained as a
85 public document; or

86 (6) Through reconciliation agreements or civil action, the power to seek fees for
87 violations in an amount not greater than one thousand dollars or double the amount involved in
88 the violation.

89 5. Upon vote of at least four members, the commission may initiate formal judicial
90 proceedings seeking to obtain any of the following orders:

91 (1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter
92 130, RSMo, or sections 105.955 to 105.963;

93 (2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130,
94 RSMo;

95 (3) File any reports, statements, or other documents or information required by sections
96 105.450 to 105.496, or chapter 130, RSMo; or

97 (4) Pay restitution for any unjust enrichment the violator obtained as a result of any
98 violation of any criminal statute as described in subsection 6 of this section.

99

100 The Missouri ethics commission shall give actual notice to the subject of the complaint of the
101 proposed action as set out in this section. The subject of the complaint may appeal the action
102 of the Missouri ethics commission, other than a referral for criminal prosecution, to the
103 administrative hearing commission. Such appeal shall stay the action of the Missouri ethics
104 commission. Such appeal shall be filed no later than fourteen days after the subject of the
105 commission's actions receives actual notice of the commission's actions.

106 6. In the proceeding in circuit court, the commission may seek restitution against any
107 person who has obtained unjust enrichment as a result of violation of any provision of sections
108 105.450 to 105.496, or chapter 130, RSMo, and may recover on behalf of the state or political
109 subdivision with which the alleged violator is associated, damages in the amount of any unjust
110 enrichment obtained and costs and attorney's fees as ordered by the court.

111 7. The appropriate disciplinary authority to whom a report shall be sent pursuant to
112 subsection 2 or 3 of this section shall include, but not be limited to, the following:

113 (1) In the case of a member of the general assembly, the ethics committee of the house

114 of which the subject of the report is a member;

115 (2) In the case of a person holding an elective office or an appointive office of the state,
116 if the alleged violation is an impeachable offense, the report shall be referred to the ethics
117 committee of the house of representatives;

118 (3) In the case of a person holding an elective office of a political subdivision, the report
119 shall be referred to the governing body of the political subdivision;

120 (4) In the case of any officer or employee of the state or of a political subdivision, the
121 report shall be referred to the person who has immediate supervisory authority over the
122 employment by the state or by the political subdivision of the subject of the report;

123 (5) In the case of a judge of a court of law, the report shall be referred to the commission
124 on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to
125 the applicable presiding judge;

126 (6) In the case of a person holding an appointive office of the state, if the alleged
127 violation is not an impeachable offense, the report shall be referred to the governor;

128 (7) In the case of a statewide elected official, the report shall be referred to the attorney
129 general;

130 (8) In a case involving the attorney general, the report shall be referred to the prosecuting
131 attorney of Cole County.

132 8. The special investigator having a complaint referred to the special investigator by the
133 commission shall have the following powers:

134 (1) To request and shall be given access to information in the possession of any person
135 or agency which the special investigator deems necessary for the discharge of the special
136 investigator's responsibilities;

137 (2) To examine the records and documents of any person or agency, unless such
138 examination would violate state or federal law providing for confidentiality;

139 (3) To administer oaths and affirmations;

140 (4) Upon refusal by any person to comply with a request for information relevant to an
141 investigation, an investigator may issue a subpoena for any person to appear and give testimony,
142 or for a subpoena duces tecum to produce documentary or other evidence which the investigator
143 deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces
144 tecum may be enforced by applying to a judge of the circuit court of Cole County or any county
145 where the person or entity that has been subpoenaed resides or may be found, for an order to
146 show cause why the subpoena or subpoena duces tecum should not be enforced. The order and
147 a copy of the application therefor shall be served in the same manner as a summons in a civil
148 action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum
149 should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum

150 in the same manner as if it had been issued by the court in a civil action; and

151 (5) To request from the commission such investigative, clerical or other staff assistance
152 or advancement of other expenses which are necessary and convenient for the proper completion
153 of an investigation. Within the limits of appropriations to the commission, the commission may
154 provide such assistance, whether by contract to obtain such assistance or from staff employed
155 by the commission, or may advance such expenses.

156 9. (1) Any retired judge may request in writing to have the judge's name removed from
157 the list of special investigators subject to appointment by the commission or may request to
158 disqualify himself or herself from any investigation. Such request shall include the reasons for
159 seeking removal;

160 (2) By vote of **at least** four members of the commission, the commission may disqualify
161 a judge from a particular investigation or may permanently remove the name of any retired judge
162 from the list of special investigators subject to appointment by the commission.

163 10. Any person who is the subject of any investigation pursuant to this section shall be
164 entitled to be represented by counsel at any proceeding before the special investigator or the
165 commission.

166 11. The provisions of sections 105.957, 105.959 and 105.961 are in addition to other
167 provisions of law under which any remedy or right of appeal or objection is provided for any
168 person, or any procedure provided for inquiry or investigation concerning any matter. The
169 provisions of this section shall not be construed to limit or affect any other remedy or right of
170 appeal or objection.

171 12. No person shall be required to make or file a complaint to the commission as a
172 prerequisite for exhausting the person's administrative remedies before pursuing any civil cause
173 of action allowed by law.

174 13. If, in the opinion of the commission, the complaining party was motivated by malice
175 or reason contrary to the spirit of any law on which such complaint was based, in filing the
176 complaint without just cause, this finding shall be reported to appropriate law enforcement
177 authorities. Any person who knowingly files a complaint without just cause, or with malice, is
178 guilty of a class A misdemeanor.

179 14. A respondent party who prevails in a formal judicial action brought by the
180 commission shall be awarded those reasonable fees and expenses incurred by that party in the
181 formal judicial action, unless the court finds that the position of the commission was
182 substantially justified or that special circumstances make such an award unjust.

183 15. The special investigator and members and staff of the commission shall maintain
184 confidentiality with respect to all matters concerning a complaint until and if a report is filed
185 with the commission, with the exception of communications with any person which are

186 necessary to the investigation. The report filed with the commission resulting from a complaint
187 acted upon under the provisions of this section shall not contain the name of the complainant or
188 other person providing information to the investigator, if so requested in writing by the
189 complainant or such other person. Any person who violates the confidentiality requirements
190 imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty
191 of a class A misdemeanor and shall be subject to removal from or termination of employment
192 by the commission.

193 16. Any judge of the court of appeals or circuit court who ceases to hold such office by
194 reason of the judge's retirement and who serves as a special investigator pursuant to this section
195 shall receive annual compensation, salary or retirement for such services at the rates of
196 compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682, RSMo.
197 Such retired judges shall by the tenth day of each month following any month in which the judge
198 provided services pursuant to this section certify to the commission and to the state courts
199 administrator the amount of time engaged in such services by hour or fraction thereof, the dates
200 thereof, and the expenses incurred and allowable pursuant to this section. The commission shall
201 then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent,
202 and within limitations, provided for in this section. The state treasurer upon receipt of such
203 warrant shall pay the same out of any appropriations made for this purpose on the last day of the
204 month during which the warrant was received by the state treasurer.

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

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

5 (2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted
6 to qualified voters for their approval or rejection, including any proposal submitted by initiative
7 petition, referendum petition, or by the general assembly or any local governmental body having
8 authority to refer proposals to the voter;

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

- 18 (a) Receives contributions or makes expenditures or reserves space or facilities with
19 intent to promote the person's candidacy for office; or
- 20 (b) Knows or has reason to know that contributions are being received or expenditures
21 are being made or space or facilities are being reserved with the intent to promote the person's
22 candidacy for office; except that, such individual shall not be deemed a candidate if the person
23 files a statement with the appropriate officer within five days after learning of the receipt of
24 contributions, the making of expenditures, or the reservation of space or facilities disavowing
25 the candidacy and stating that the person will not accept nomination or take office if elected;
26 provided that, if the election at which such individual is supported as a candidate is to take place
27 within five days after the person's learning of the above-specified activities, the individual shall
28 file the statement disavowing the candidacy within one day; or
- 29 (c) Announces or files a declaration of candidacy for office;
- 30 (4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument
31 which can be transferred from one person to another person without the signature or endorsement
32 of the transferor;
- 33 (5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order
34 of withdrawal account in a savings and loan association or a share draft account in a credit union;
- 35 (6) "Closing date", the date through which a statement or report is required to be
36 complete;
- 37 (7) "Committee", a person or any combination of persons, who accepts contributions or
38 makes expenditures for the primary or incidental purpose of influencing or attempting to
39 influence the action of voters for or against the nomination or election to public office of one or
40 more candidates or the qualification, passage or defeat of any ballot measure or for the purpose
41 of paying a previously incurred campaign debt or obligation of a candidate or the debts or
42 obligations of a committee or for the purpose of contributing funds to another committee:
- 43 (a) "Committee", does not include:
- 44 a. A person or combination of persons, if neither the aggregate of expenditures made nor
45 the aggregate of contributions received during a calendar year exceeds five hundred dollars and
46 if no single contributor has contributed more than two hundred [fifty] **seventy-five** dollars of
47 such aggregate contributions;
- 48 b. An individual, other than a candidate, who accepts no contributions and who deals
49 only with the individual's own funds or property;
- 50 c. A corporation, cooperative association, partnership, proprietorship, or joint venture
51 organized or operated for a primary or principal purpose other than that of influencing or
52 attempting to influence the action of voters for or against the nomination or election to public
53 office of one or more candidates or the qualification, passage or defeat of any ballot measure, and

54 it accepts no contributions, and all expenditures it makes are from its own funds or property
55 obtained in the usual course of business or in any commercial or other transaction and which are
56 not contributions as defined by subdivision (12) of this section;

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

65 e. A person who acts as an authorized agent for a committee in soliciting or receiving
66 contributions or in making expenditures or incurring indebtedness on behalf of the committee
67 if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable,
68 an accurate account of each receipt or other transaction in the detail required by the treasurer to
69 comply with all record keeping and reporting requirements of this chapter;

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

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

75 (8) "Campaign committee", a committee, other than a candidate committee, which shall
76 be formed by an individual or group of individuals to receive contributions or make expenditures
77 and whose sole purpose is to support or oppose the qualification and passage of one or more
78 particular ballot measures in an election or the retention of judges under the nonpartisan court
79 plan, such committee shall be formed no later than thirty days prior to the election for which the
80 committee receives contributions or makes expenditures, and which shall terminate the later of
81 either thirty days after the general election or upon the satisfaction of all committee debt after
82 the general election, except that no committee retiring debt shall engage in any other activities
83 in support of a measure for which the committee was formed;

84 (9) "Candidate committee", a committee which shall be formed by a candidate to receive
85 contributions or make expenditures in behalf of the person's candidacy and which shall continue
86 in existence for use by an elected candidate or which shall terminate the later of either thirty days
87 after the general election for a candidate who was not elected or upon the satisfaction of all
88 committee debt after the election, except that no committee retiring debt shall engage in any
89 other activities in support of the candidate for which the committee was formed. Any candidate

90 for elective office shall have only one candidate committee for the elective office sought, which
91 is controlled directly by the candidate for the purpose of making expenditures. A candidate
92 committee is presumed to be under the control and direction of the candidate unless the candidate
93 files an affidavit with the appropriate officer stating that the committee is acting without control
94 or direction on the candidate's part;

95 (10) "Continuing committee", a committee of continuing existence which is not formed,
96 controlled or directed by a candidate, and is a committee other than a candidate committee or
97 campaign committee, whose primary or incidental purpose is to receive contributions or make
98 expenditures to influence or attempt to influence the action of voters whether or not a particular
99 candidate or candidates or a particular ballot measure or measures to be supported or opposed
100 has been determined at the time the committee is required to file any statement or report pursuant
101 to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any
102 committee organized or sponsored by a business entity, a labor organization, a professional
103 association, a trade or business association, a club or other organization and whose primary
104 purpose is to solicit, accept and use contributions from the members, employees or stockholders
105 of such entity and any individual or group of individuals who accept and use contributions to
106 influence or attempt to influence the action of voters. Such committee shall be formed no later
107 than thirty days prior to the election for which the committee receives contributions or makes
108 expenditures;

109 (11) "Connected organization", any organization such as a corporation, a labor
110 organization, a membership organization, a cooperative, or trade or professional association
111 which expends funds or provides services or facilities to establish, administer or maintain a
112 committee or to solicit contributions to a committee from its members, officers, directors,
113 employees or security holders. An organization shall be deemed to be the connected
114 organization if more than fifty percent of the persons making contributions to the committee
115 during the current calendar year are members, officers, directors, employees or security holders
116 of such organization or their spouses;

117 (12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or
118 anything of value for the purpose of supporting or opposing the nomination or election of any
119 candidate for public office or the qualification, passage or defeat of any ballot measure, or for
120 the support of any committee supporting or opposing candidates or ballot measures or for paying
121 debts or obligations of any candidate or committee previously incurred for the above purposes.
122 A contribution of anything of value shall be deemed to have a money value equivalent to the fair
123 market value. "Contribution" includes, but is not limited to:

124 (a) A candidate's own money or property used in support of the person's candidacy other
125 than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the

126 filing for public office;

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

129 (c) Receipts from the sale of goods and services, including the sale of advertising space
130 in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets
131 or political merchandise;

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

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

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

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

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

149 (i) "Contribution" does not include:

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

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

158 c. Interest earned on deposit of committee funds;

159 d. The costs incurred by any connected organization listed pursuant to subdivision (4)
160 of subsection 5 of section 130.021 for establishing, administering or maintaining a committee,
161 or for the solicitation of contributions to a committee which solicitation is solely directed or

162 related to the members, officers, directors, employees or security holders of the connected
163 organization;

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

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

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

173 (16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution
174 of money or anything of value for the purpose of supporting or opposing the nomination or
175 election of any candidate for public office or the qualification or passage of any ballot measure
176 or for the support of any committee which in turn supports or opposes any candidate or ballot
177 measure or for the purpose of paying a previously incurred campaign debt or obligation of a
178 candidate or the debts or obligations of a committee; a payment, or an agreement or promise to
179 pay, money or anything of value, including a candidate's own money or property, for the
180 purchase of goods, services, property, facilities or anything of value for the purpose of supporting
181 or opposing the nomination or election of any candidate for public office or the qualification or
182 passage of any ballot measure or for the support of any committee which in turn supports or
183 opposes any candidate or ballot measure or for the purpose of paying a previously incurred
184 campaign debt or obligation of a candidate or the debts or obligations of a committee. An
185 expenditure of anything of value shall be deemed to have a money value equivalent to the fair
186 market value. "Expenditure" includes, but is not limited to:

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

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

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

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

197 (e) "Expenditure" does not include:

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

201 b. The internal dissemination by any membership organization, proprietorship, labor
202 organization, corporation, association or other entity of information advocating the election or
203 defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to
204 its directors, officers, members, employees or security holders, provided that the cost incurred
205 is reported pursuant to [subsection 2 of] section [130.051] **130.048**;

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

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

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

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

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

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

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

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

233 (21) "Loan", a transfer of money, property or anything of ascertainable monetary value

234 in exchange for an obligation, conditional or not, to repay in whole or in part and which was
235 contracted, used, or intended for use in an election campaign, or which was made or received by
236 a committee or which was contracted, used, or intended to pay previously incurred campaign
237 debts or obligations of a candidate or the debts or obligations of a committee;

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

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

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

251 (25) "Political party committee", a state, district, county, city, or area committee of a
252 political party, as defined in section 115.603, RSMo, which may be organized as a not-for-profit
253 corporation under Missouri law, and which committee is of continuing existence, and has the
254 primary or incidental purpose of receiving contributions and making expenditures to influence
255 or attempt to influence the action of voters on behalf of the political party;

256 (26) "Public office" or "office", any state, judicial, county, municipal, school or other
257 district, ward, township, or other political subdivision office or any political party office which
258 is filled by a vote of registered voters;

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

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

130.016. 1. No candidate for statewide elected office, general assembly, judicial office
2 other than municipal judge, or municipal office in a city with a population of more than one
3 hundred thousand shall be required to comply with the requirements to file a statement of
4 organization or disclosure reports of contributions and expenditures for any election in which
5 neither the aggregate of contributions received nor the aggregate of expenditures made on behalf
6 of such candidate exceeds five hundred dollars and no single contributor, other than the
7 candidate, has contributed more than two hundred [fifty] **seventy-five** dollars of the aggregate

8 contributions received, provided that:

9 (1) The candidate files a sworn exemption statement with the appropriate officer that the
10 candidate does not intend to either receive contributions or make expenditures in the aggregate
11 of more than five hundred dollars or receive contributions from any single contributor, other than
12 himself or herself, that aggregate more than two hundred [fifty] **seventy-five** dollars and that the
13 total of all contributions received or expenditures made by the candidate and all committees or
14 any other person with his knowledge and consent in support of his candidacy will not exceed five
15 hundred dollars and that the aggregate of contributions received from any single contributor will
16 not exceed two hundred [fifty] **seventy-five** dollars. Such exemption statement shall be filed no
17 later than the date set forth in section 130.046 on which a disclosure report would otherwise be
18 required if the candidate does not file the exemption statement. The exemption statement shall
19 be filed on a form furnished to each appropriate officer by the executive director of the Missouri
20 ethics commission. Each appropriate officer shall make the exemption statement available to
21 candidates and shall direct each candidate's attention to the exemption statement and explain its
22 purpose to the candidate; and

23 (2) The sworn exemption statement includes a statement that the candidate understands
24 that records of contributions and expenditures must be maintained from the time the candidate
25 first receives contributions or makes expenditures and that an exemption from filing a statement
26 of organization or disclosure reports does not exempt the candidate from other provisions of this
27 chapter. Each candidate described in subsection 1 of this section, who files a statement of
28 exemption, shall file a statement of limited activity for each reporting period, described in
29 section 130.046.

30 2. Any candidate who has filed an exemption statement as provided in subsection 1 of
31 this section shall not accept any contribution or make any expenditure in support of the person's
32 candidacy, either directly or indirectly or by or through any committee or any other person acting
33 with the candidate's knowledge and consent, which would cause such contributions or
34 expenditures to exceed the limits specified in subdivision (1) of subsection 1 of this section
35 unless the candidate later rejects the exemption pursuant to the provisions of subsection 3 of this
36 section. Any contribution received in excess of such limits shall be returned to the donor **if the**
37 **donor's identity can be ascertained** or transmitted to the state treasurer to escheat to the state.

38 3. If, after filing the exemption statement provided for in this section, the candidate
39 subsequently determines the candidate wishes to exceed any of the limits in subdivision (1) of
40 subsection 1 of this section, the candidate shall file a notice of rejection of the exemption with
41 the appropriate officer; however, such rejection shall not be filed later than thirty days before
42 election. A notice of rejection of exemption shall be accompanied by a statement of organization
43 as required by section 130.021 and any other statements and reports which would have been

44 required if the candidate had not filed an exemption statement.

45 4. A primary election and the immediately succeeding general election are separate
46 elections, and restrictions on contributions and expenditures set forth in subsection 2 of this
47 section shall apply to each election; however, if a successful primary candidate has correctly filed
48 an exemption statement prior to the primary election and has not filed a notice of rejection prior
49 to the date on which the first disclosure report applicable to the succeeding general election is
50 required to be filed, the candidate shall not be required to file an exemption statement for that
51 general election if the limitations set forth in subsection 1 of this section apply to the succeeding
52 general election.

53 5. A candidate who has an existing candidate committee formed for a prior election for
54 which all statements and reports required by this chapter have been properly filed shall be
55 eligible to file the exemption statement as provided in subsection 1 of this section and shall not
56 be required to file the disclosure reports pertaining to the election for which the candidate is
57 eligible to file the exemption statement if the candidate and the treasurer or deputy treasurer of
58 such existing candidate committee continue to comply with the requirements, limitations and
59 restrictions set forth in subsections 1, 2, 3 and 4 of this section. The exemption permitted by this
60 subsection does not exempt a candidate or the treasurer of the candidate's existing candidate
61 committee from complying with the requirements of subsections 6 and 7 of section 130.046
62 applicable to a prior election.

63 6. No nonpartisan candidate for supreme court, circuit court, or associate circuit court,
64 or candidate for political party office, or for county office or municipal office in a city of one
65 hundred thousand or less, or for any special purpose district office shall be required to file an
66 exemption statement pursuant to this section in order to be exempted from forming a committee
67 and filing disclosure reports required of committees pursuant to this chapter if the aggregate of
68 contributions received or expenditures made by the candidate and any other person with the
69 candidate's knowledge and consent in support of the person's candidacy does not exceed one
70 thousand dollars and the aggregate of contributions from any single contributor does not exceed
71 two hundred [fifty] **seventy-five** dollars. No candidate for any office listed in this subsection
72 shall be excused from complying with the provisions of any section of this chapter, other than
73 the filing of an exemption statement under the conditions specified in this subsection.

74 7. If any candidate for an office listed in subsection 6 of this section exceeds the limits
75 specified in subsection 6 of this section, the candidate shall form a committee no later than thirty
76 days prior to the election for which the contributions were received or expended which shall
77 comply with all provisions of this chapter for committees.

130.021. 1. Every committee shall have a treasurer who, except as provided in
2 subsection 10 of this section, shall be a resident of this state. A committee may also have a

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

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

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

22 4. (1) Every committee shall have a single official fund depository within this state
23 which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan
24 association, or a federally or state-chartered credit union in which the committee shall open and
25 thereafter maintain at least one official depository account in its own name. An "official
26 depository account" shall be a checking account or some type of negotiable draft or negotiable
27 order of withdrawal account, and the official fund depository shall, regarding an official
28 depository account, be a type of financial institution which provides a record of deposits,
29 canceled checks or other canceled instruments of withdrawal evidencing each transaction by
30 maintaining copies within this state of such instruments and other transactions. All contributions
31 which the committee receives in money, checks and other negotiable instruments shall be
32 deposited in a committee's official depository account. Contributions shall not be accepted and
33 expenditures shall not be made by a committee except by or through an official depository
34 account and the committee treasurer, deputy treasurer or candidate. Contributions received by
35 a committee shall not be commingled with any funds of an agent of the committee, a candidate
36 or any other person, except that contributions from a candidate of the candidate's own funds to
37 the person's candidate committee shall be deposited to an official depository account of the
38 person's candidate committee. No expenditure shall be made by a committee when the office

39 of committee treasurer is vacant except that when the office of a candidate committee treasurer
40 is vacant, the candidate shall be the treasurer until the candidate appoints a new treasurer.

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

58 5. The treasurer or deputy treasurer acting on behalf of any person or organization or
59 group of persons which is a committee by virtue of the definitions of "committee" in section
60 130.011 and any candidate who is not excluded from forming a committee in accordance with
61 the provisions of section 130.016 shall file a statement of organization with the appropriate
62 officer within twenty days after the person or organization becomes a committee but no later than
63 [the date for filing the first report required pursuant to the provisions of section 130.046] **thirty**
64 **days prior to the election for which the committee accepts contributions or makes**
65 **expenditures.** The statement of organization shall contain the following information:

66 (1) The name, mailing address and telephone number, if any, of the committee filing the
67 statement of organization. If the committee is deemed to be affiliated with a connected
68 organization as provided in subdivision (11) of section 130.011, the name of the connected
69 organization, or a legally registered fictitious name which reasonably identifies the connected
70 organization, shall appear in the name of the committee. If the committee is a candidate
71 committee, the name of the candidate shall be a part of the committee's name;

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

73 (3) The name, mailing address and telephone number of the committee treasurer, and the
74 name, mailing address and telephone number of its deputy treasurer if the committee has named

75 a deputy treasurer;

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

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

79 (6) The name and mailing address of its depository, and the name and account number
80 of each account the committee has in the depository;

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

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

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

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

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

99 7. A committee which has filed a statement of organization and has not terminated shall
100 not be required to file another statement of organization, except that when there is a change in
101 any of the information previously reported as required by subdivisions (1) to (8) of subsection
102 5 of this section an amended statement of organization shall be filed within twenty days after the
103 change occurs, but no later than the date of the filing of the next report required to be filed by
104 that committee by section 130.046.

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

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

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

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

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

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

130.026. 1. For the purpose of this section, the term "election authority" or "local election
2 authority" means the county clerk, except that in a city or county having a board of election
3 commissioners the board of election commissioners shall be the election authority. For any
4 political subdivision or other district which is situated within the jurisdiction of more than one
5 election authority, as defined herein, the election authority is the one in whose jurisdiction the
6 candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most
7 populous portion of the political subdivision or district for which an election is held is situated,
8 except that a county clerk or a county board of election commissioners shall be the election
9 authority for all candidates for elective county offices other than county clerk and for any
10 countywide ballot measures.

11 2. The appropriate officer or officers for candidates and ballot measures shall be as
12 follows:

13 (1) In the case of candidates for the offices of governor, lieutenant governor, secretary
14 of state, state treasurer, state auditor, attorney general, judges of the supreme court and appellate
15 court judges, the appropriate officer shall be the Missouri ethics commission;

16 (2) Notwithstanding the provisions of subsection 1 of this section, in the case of
17 candidates for the offices of state senator, state representative, county clerk, and associate circuit
18 court judges and circuit court judges, the appropriate officers shall be the Missouri ethics

19 commission and the election authority for the place of residence of the candidate. **In the case**
20 **of candidates for the offices of officers of the general assembly, the appropriate officers**
21 **shall be the Missouri ethics commission.**

22 (3) In the case of candidates for elective municipal offices in municipalities of more than
23 one hundred thousand inhabitants and elective county offices in counties of more than one
24 hundred thousand inhabitants, the appropriate officers shall be the Missouri ethics commission
25 and the election authority of the municipality or county in which the candidate seeks office;

26 (4) In the case of all other offices, the appropriate officer shall be the election authority
27 of the district or political subdivision for which the candidate seeks office;

28 (5) In the case of ballot measures, the appropriate officer or officers shall be:

29 (a) The Missouri ethics commission for a statewide measure;

30 (b) The local election authority for any political subdivision or district as determined by
31 the provisions of subsection 1 of this section for any measure, other than a statewide measure,
32 to be voted on in that political subdivision or district.

33 3. The appropriate officer or officers for candidate committees and campaign committees
34 shall be the same as designated in subsection 2 of this section for the candidates or ballot
35 measures supported or opposed as indicated in the statement of organization required to be filed
36 by any such committee.

37 4. The appropriate officer for political party committees shall be as follows:

38 (1) In the case of state party committees, the appropriate officer shall be the Missouri
39 ethics commission;

40 (2) In the case of any district, county or city political party committee, the appropriate
41 officer shall be the Missouri ethics commission and the election authority for that district, county
42 or city.

43 5. The appropriate officers for a continuing committee and for any other committee not
44 named in subsections 3, 4 and 5 of this section shall be as follows:

45 (1) The Missouri ethics commission and the election authority for the county in which
46 the committee is domiciled; and

47 (2) If the committee makes or anticipates making expenditures other than direct
48 contributions which aggregate more than five hundred dollars to support or oppose one or more
49 candidates or ballot measures in the same political subdivision or district for which the
50 appropriate officer is an election authority other than the one for the county in which the
51 committee is domiciled, the appropriate officers for that committee shall include such other
52 election authority or authorities, except that committees covered by this subsection need not file
53 statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section
54 130.046 with any appropriate officer other than those set forth in subdivision (1) of this

55 subsection.

56 6. The term "domicile" or "domiciled" means the address of the committee listed on the
57 statement of organization required to be filed by that committee in accordance with the
58 provisions of section 130.021.

 130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall
2 be made by or accepted from any single contributor for any election by a continuing committee,
3 a campaign committee, a political party committee, an exploratory committee or a candidate
4 committee.

5 2. Except for expenditures from a petty cash fund which is established and maintained
6 by withdrawals of funds from the committee's depository account and with records maintained
7 pursuant to the record-keeping requirements of section 130.036 to account for expenditures made
8 from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall
9 be made by check drawn on the committee's depository and signed by the committee treasurer,
10 deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty
11 dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall
12 not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the
13 committee during that calendar year. A check made payable to "cash" shall not be made except
14 to replenish a petty cash fund.

15 3. No contribution shall be made or accepted and no expenditure shall be made or
16 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
17 through another person in such a manner as to conceal the identity of the actual source of the
18 contribution or the actual recipient and purpose of the expenditure. Any person who receives
19 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or
20 candidate the recipient's own name and address and the name and address of the actual source
21 of each contribution such person has received for that committee. Any person who makes
22 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
23 candidate such person's own name and address, the name and address of each person to whom
24 an expenditure has been made and the amount and purpose of the expenditures the person has
25 made for that committee.

26 4. No anonymous contribution of more than twenty-five dollars shall be made by any
27 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any
28 candidate or committee. If any anonymous contribution of more than twenty-five dollars is
29 received, it shall be returned immediately to the contributor, if the contributor's identity can be
30 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee
31 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which
32 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

33 5. The maximum aggregate amount of anonymous contributions which shall be accepted
34 in any calendar year by any committee shall be the greater of five hundred dollars or one percent
35 of the aggregate amount of all contributions received by that committee in the same calendar
36 year. If any anonymous contribution is received which causes the aggregate total of anonymous
37 contributions to exceed the foregoing limitation, it shall be returned immediately to the
38 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity
39 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately
40 transmit the anonymous contribution to the state treasurer to escheat to the state.

41 6. Notwithstanding the provisions of subsection 5 of this section, contributions from
42 individuals whose names and addresses cannot be ascertained which are received from a
43 fund-raising activity or event, such as defined in section 130.011, shall not be deemed
44 anonymous contributions, provided the following conditions are met:

45 (1) There are twenty-five or more contributing participants in the activity or event;

46 (2) The candidate, committee treasurer, deputy treasurer or the person responsible for
47 conducting the activity or event makes an announcement that it is illegal for anyone to make or
48 receive a contribution in excess of one hundred dollars unless the contribution is accompanied
49 by the name and address of the contributor;

50 (3) The person responsible for conducting the activity or event does not knowingly
51 accept payment from any single person of more than one hundred dollars unless the name and
52 address of the person making such payment is obtained and recorded pursuant to the
53 record-keeping requirements of section 130.036;

54 (4) A statement describing the event shall be prepared by the candidate or the treasurer
55 of the committee for whom the funds were raised or by the person responsible for conducting the
56 activity or event and attached to the disclosure report of contributions and expenditures required
57 by section 130.041. The following information to be listed in the statement is in addition to, not
58 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of
59 contributions and expenditures:

60 (a) The name and mailing address of the person or persons responsible for conducting
61 the event or activity and the name and address of the candidate or committee for whom the funds
62 were raised;

63 (b) The date on which the event occurred;

64 (c) The name and address of the location where the event occurred and the approximate
65 number of participants in the event;

66 (d) A brief description of the type of event and the fund-raising methods used;

67 (e) The gross receipts from the event and a listing of the expenditures incident to the
68 event;

69 (f) The total dollar amount of contributions received from the event from participants
70 whose names and addresses were not obtained with such contributions and an explanation of
71 why it was not possible to obtain the names and addresses of such participants;

72 (g) The total dollar amount of contributions received from contributing participants in
73 the event who are identified by name and address in the records required to be maintained
74 pursuant to section 130.036.

75 7. No candidate or committee in this state shall accept contributions from any
76 out-of-state committee unless the out-of-state committee from whom the contributions are
77 received has filed a statement of organization pursuant to section 130.021 or has filed the reports
78 required by [sections 130.049 and 130.050, whichever is applicable to that committee] **section**
79 **130.049.**

80 8. Any person publishing, circulating, or distributing any printed matter relative to any
81 candidate for public office or any ballot measure shall on the face of the printed matter identify
82 in a clear and conspicuous manner the person who paid for the printed matter with the words
83 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For
84 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,
85 handbill, sample ballot, advertisement, including advertisements in any newspaper or other
86 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered
87 material; but "printed matter" is defined to exclude materials printed and purchased prior to
88 May 20, 1982, if the candidate or committee can document that delivery took place prior to
89 May 20, 1982; any sign personally printed and constructed by an individual without
90 compensation from any other person and displayed at that individual's place of residence or on
91 that individual's personal motor vehicle; any items of personal use given away or sold, such as
92 campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is
93 paid for by a candidate or committee which supports a candidate or supports or opposes a ballot
94 measure and which is obvious in its identification with a specific candidate or committee and is
95 reported as required by this chapter; and any news story, commentary, or editorial printed by a
96 regularly published newspaper or other periodical without charge to a candidate, committee or
97 any other person.

98 (1) In regard to any printed matter paid for by a candidate from the candidate's personal
99 funds, it shall be sufficient identification to print the first and last name by which the candidate
100 is known.

101 (2) In regard to any printed matter paid for by a committee, it shall be sufficient
102 identification to print the name of the committee as required to be registered by subsection 5 of
103 section 130.021 and the name and title of the committee treasurer who was serving when the
104 printed matter was paid for.

(3) In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.

(4) In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses, except that if more than five individuals join in paying for printed matter it shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by the name and address of one such individual responsible for causing the matter to be printed, and the individual identified shall maintain a record of the names and amounts paid by other individuals and shall make such record available for review upon the request of any person. No person shall accept for publication or printing nor shall such work be completed until the printed matter is properly identified as required by this subsection.

9. Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure as defined by this chapter shall identify the sponsor of such matter as required by federal law.

10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for elective federal office, provided that persons causing matter to be printed or broadcast concerning such candidacies shall comply with the requirements of federal law for identification of the sponsor or sponsors.

11. It shall be a violation of this chapter for any person required to be identified as paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter pursuant to subsection 9 of this section to refuse to provide the information required or to [purposely] **knowingly** provide false, misleading, or incomplete information.

12. It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes; except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

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

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

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

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

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

11 (5) To elect an individual to any other office, including judicial office, if the population
12 of the electoral district, ward, or other unit according to the latest decennial census is at least one
13 hundred thousand but less than two hundred fifty thousand, five hundred dollars; and

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

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

22 3. Candidate committees, expoloratory committees, campaign committees and
23 continuing committees, other than those continuing committees which are political party
24 committees, shall be subject to the limits prescribed in subsection 1 of this section. The
25 provisions of this subsection shall not limit the amount of contributions which may be
26 accumulated by a candidate committee and used for expenditures to further the nomination or
27 election of the candidate who controls such candidate who controls such candidate committee,
28 except as **otherwise** provided in [section 130.052] **this chapter**.

29 4. **No person, committee or other entity of any kind shall contribute to political**
30 **party committees an aggregate amount in excess of five thousand dollars in any single**
31 **calendar year.**

32 5. Except as limited by this subsection, the amount of cash contributions, and a separate
33 amount for the amount of in-kind contributions, made by or accepted from a political party
34 committee in any one election shall not exceed the following:

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

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

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

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

42

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

46 [5.] 6. Contributions from persons under fourteen years of age shall be considered made
47 by the parents or guardians of such person and shall be attributed toward any contribution limits
48 prescribed in this chapter. Where the contributor under fourteen years of age has two custodial
49 parents or guardians, fifty percent of the contribution shall be attributed to each parent of
50 guardian, and where such contributor has one custodial parent or guardian, all such contributions
51 shall be attributed to the custodial parent or guardian.

52 [6.] 7. Contributions received and expenditures made prior to January 1, 1995, shall be
53 reported as a separate account and pursuant to the laws in effect at the time such contributions
54 are received or expenditures made. Contributions received and expenditures made after January
55 1, 1995, shall be reported as a separate account from the aforementioned account and pursuant
56 to the provisions of this chapter. The account reported pursuant to the prior law shall be retained
57 as a separate account and any remaining funds in such account may be used pursuant to this
58 chapter and section 130.034.

59 [7.] 8. Any committee which accepts or gives contributions other than those allowed
60 shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution
61 per nonallowable contribution, to be paid to the ethics commission and which shall be transferred
62 to the director of revenue, upon notification of such nonallowable contribution by the ethic
63 commission, and after the candidate has had ten business days after receipt of notice to return
64 the contribution to the contributor. The candidate and the candidate committee treasurer or
65 deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge
66 or may pay such surcharge only from campaign funds existing on the date of the receipt of
67 notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to,
68 the provisions of chapter 143, RSMo.

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

7 (1) The full name, as required in the statement of organization pursuant to subsection 5
8 of section 130.021, and mailing address of the committee filing the report and the full name,
9 mailing address and telephone number of the committee's treasurer and deputy treasurer if the
10 committee has named a deputy treasurer;

- 11 (2) The amount of money, including cash on hand at the beginning of the reporting
12 period;
- 13 (3) Receipts for the period, including:
- 14 (a) Total amount of all monetary contributions received which can be identified in the
15 committee's records by name and address of each contributor. In addition, the candidate
16 committee shall make a reasonable effort to obtain and report the employer, or occupation if
17 self-employed or notation of retirement, of each person from whom the committee received one
18 or more contributions which in the aggregate total in excess of one hundred dollars and shall
19 make a reasonable effort to obtain and report a description of any contractual relationship over
20 five hundred dollars between the contributor and the state if the candidate is seeking election to
21 a state office or between the contributor and any political subdivision of the state if the candidate
22 is seeking election to another political subdivision of the state;
- 23 (b) Total amount of all anonymous contributions accepted;
- 24 (c) Total amount of all monetary contributions received through fund-raising events or
25 activities from participants whose names and addresses were not obtained with such
26 contributions, with an attached statement or copy of the statement describing each fund-raising
27 event as required in subsection 6 of section 130.031;
- 28 (d) Total dollar value of all in-kind contributions received;
- 29 (e) A separate listing by name and address and employer, or occupation if self-employed
30 or notation of retirement, of each person from whom the committee received contributions, in
31 money or any other thing of value, aggregating more than one hundred dollars, together with the
32 date and amount of each such contribution;
- 33 (f) A listing of each loan received by name and address of the lender and date and
34 amount of the loan. For each loan of more than one hundred dollars, a separate statement shall
35 be attached setting forth the name and address of the lender and each person liable directly,
36 indirectly or contingently, and the date, amount and terms of the loan;
- 37 (4) Expenditures for the period, including:
- 38 (a) The total dollar amount of expenditures made by check drawn on the committee's
39 depository;
- 40 (b) The total dollar amount of expenditures made in cash;
- 41 (c) The total dollar value of all in-kind expenditures made;
- 42 (d) The full name and mailing address of each person to whom an expenditure of money
43 or any other thing of value in the amount of more than one hundred dollars has been made,
44 contracted for or incurred, together with the date, amount and purpose of each expenditure.
45 Expenditures of one hundred dollars or less may be grouped and listed by categories of
46 expenditure showing the total dollar amount of expenditures in each category, except that the

47 report shall contain an itemized listing of each payment made to campaign workers by name,
48 address, date, amount and purpose of each payment and the aggregate amount paid to each such
49 worker;

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

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

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

56 (7) The amount of expenditures for or against a candidate or ballot measure during the
57 period covered and the cumulative amount of expenditures for or against that candidate or ballot
58 measure, with each candidate being listed by name, mailing address and office sought. For the
59 purpose of disclosure reports, expenditures made in support of more than one candidate or ballot
60 measure or both shall be apportioned reasonably among the candidates or ballot measure or both.
61 In apportioning expenditures to each candidate or ballot measure, political party committees and
62 continuing committees need not include expenditures for maintaining a permanent office, such
63 as expenditures for salaries of regular staff, office facilities and equipment or other expenditures
64 not designed to support or oppose any particular candidates or ballot measures; however, all such
65 expenditures shall be listed pursuant to subdivision (4) of this subsection;

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

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

74 (10) Each committee that receives a contribution which is restricted or designated in
75 whole or in part by the contributor for transfer to a particular candidate, committee or other
76 person shall include a statement of the name and address of that contributor in the next disclosure
77 report required to be filed after receipt of such contribution, together with the date and amount
78 of any such contribution which was so restricted or designated by that contributor, together with
79 the name of the particular candidate or committee to whom such contribution was so designated
80 or restricted by that contributor and the date and amount of such contribution.

81 2. For the purpose of this section and any other section in this chapter except [sections
82 130.049 and 130.050] **section 130.049** which requires a listing of each contributor who has

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

85 (1) In the case of a candidate committee, the period shall begin on the date on which the
86 candidate became a candidate according to the definition of the term "candidate" in section
87 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an
88 election or at 11:59 p.m. on the day of the general election. If the candidate has a general
89 election held after a primary election, the next aggregating period shall begin at 12:00 midnight
90 on the day after the primary election day and shall close at 11:59 p.m. on the day of the general
91 election. Except that for contributions received during the thirty-day period immediately
92 following a primary election, the candidate shall designate whether such contribution is received
93 as a primary election contribution or a general election contribution, **and except for**
94 **contributions received during the thirty-day period immediately following a general**
95 **election, the candidate shall designate whether such contribution is received as a**
96 **contribution for that general election or the following primary election;**

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

100 (3) In the case of a political party committee or a continuing committee, the period shall
101 begin on the first day of January of the year in which the report or statement is being filed and
102 end on the closing date for the period for which the report or statement is required; except, if the
103 report or statement is required to be filed prior to the first day of July in any given year, the
104 period shall begin on the first day of July of the preceding year.

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

107 4. The words "consulting or consulting services, fees, or expenses", or similar words,
108 shall not be used to describe the purpose of a payment as required in this section. The reporting
109 of any payment to such an independent contractor shall be on a form supplied by the appropriate
110 officer, established by the ethics commission and shall include identification of the specific
111 service or services provided including, but not limited to, public opinion polling, research on
112 issues or opposition background, print or broadcast media production, print or broadcast media
113 purchase, computer programming or data entry, direct mail production, postage, rent, utilities,
114 phone solicitation, or fund raising, and the dollar amount prorated for each service.

130.046. 1. The disclosure reports required by section 130.041 for all committees shall
2 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 on the twelfth
4 day before the election if the committee has made any contribution or expenditure either in

5 support or opposition to any candidate or ballot measure;

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

13 (3) Not later than the fifteenth day following the close of each calendar quarter.
14

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

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

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

36 (2) If the measure has qualified to be on the ballot in an election and if a committee
37 subject to the requirements of subdivision (1) of this subsection is also required to file a
38 preelection disclosure report for such election any time within thirty days after the date on which
39 disclosure reports are required to be filed in accordance with subdivision (1) of this subsection,
40 the treasurer of such committee shall not be required to file the report required by subdivision

41 (1) of this subsection, but shall include in the committee's preelection report all information
42 which would otherwise have been required by subdivision (1) of this subsection.

43 3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file
44 disclosure reports pursuant to this section, except for any calendar quarter in which the
45 contributions received by the committee or the expenditures or contributions made by the
46 committee do not exceed five hundred dollars. The reporting dates and periods covered for such
47 quarterly reports shall not be later than the fifteenth day of January, April, July and October for
48 periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day
49 of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be
50 required to file the quarterly disclosure report required not later than the fifteenth day of any
51 January immediately following a November election, provided that such candidate, treasurer or
52 deputy treasurer shall file the information required on such quarterly report on the quarterly
53 report to be filed not later than the fifteenth day of April immediately following such November
54 election. Each report by such committee shall be cumulative from the date of the last report. In
55 the case of the continuing committee's first report, the report shall be cumulative from the date
56 of the continuing committee's organization. Every candidate, treasurer or deputy treasurer shall
57 file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding
58 the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this
59 section. A continuing committee shall submit additional reports if it makes aggregate
60 expenditures, other than contributions to a committee, of five hundred dollars or more, within
61 the reporting period at the following times for the following periods:

62 (1) Not later than the [seventh] **eighth** day before an election for the period closing on
63 the twelfth day before the election;

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

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

68 4. The reports required to be filed no later than the thirtieth day after an election and any
69 subsequently required report shall be cumulative so as to reflect the total receipts and
70 disbursements of the reporting committee for the entire election campaign in question. The
71 period covered by each disclosure report shall begin on the day after the closing date of the most
72 recent disclosure report filed and end on the closing date for the period covered. If the
73 committee has not previously filed a disclosure report, the period covered begins on the date the
74 committee was formed; except that in the case of a candidate committee, the period covered
75 begins on the date the candidate became a candidate according to the definition of the term
76 candidate in section 130.011.

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

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

81 (a) If there are less than fifty days between a primary election and the immediately
82 succeeding general election, the disclosure report required to be filed quarterly; provided that,
83 any other report required to be filed prior to the primary election and all other reports required
84 to be filed not later than the [seventh] **eighth** day before the general election are filed no later
85 than the final dates for filing such reports;

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

91 (2) No disclosure report needs to be filed for any reporting period if during that reporting
92 period the committee has neither received contributions aggregating more than five hundred
93 dollars nor made expenditure aggregating more than five hundred dollars and has not received
94 contributions aggregating more than two hundred [fifty] **seventy-five** dollars from any single
95 contributor **and if the committee's treasurer files a statement with the appropriate officer**
96 **that the committee has not exceeded the identified thresholds in the reporting period.** Any
97 contributions received or expenditures made which are not reported because [of] this statement
98 is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the
99 committee. [A] **This** report shall **not** be filed [for] **in lieu of** two or more consecutive disclosure
100 [quarters] **periods** if either the contributions received or expenditures made in the aggregate
101 during those reporting periods exceed five hundred dollars [and a report]. **This statement** shall
102 **not** be filed **in lieu of the report** not later than the thirtieth day after an election if that report
103 would show a deficit of more than one thousand dollars.

104 6. (1) If the disclosure report required to be filed by a committee not later than the
105 thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations
106 in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with
107 the appropriate officer for each succeeding semiannual period until the deficit is reported in a
108 disclosure report as being reduced to five thousand dollars or less; except that, a supplemental
109 semiannual report shall not be required for any semiannual period which includes the closing
110 date for the reporting period covered in any regular disclosure report which the committee is
111 required to file in connection with an election. The reporting dates and periods covered for
112 semiannual reports shall be not later than the fifteenth day of January and July for periods closing

113 on the thirty-first day of December and the thirtieth day of June;

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

118 7. In the case of a committee which disbands and is required to file a termination
119 statement pursuant to the provisions of section 130.021 with the appropriate officer not later than
120 the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy
121 treasurer shall attach to the termination statement a complete disclosure report for the period
122 closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8
123 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the
124 reporting requirements of subsection 6 or 7 of this section.

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

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

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

18 **(1) The full name, address and domicile of the committee making the report and**
19 **the name, residential and business addresses, domicile and telephone numbers of the**

20 committee's treasurer;

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

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

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

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

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

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

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

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

15 (2) The name and address of any entity such as a labor union, trade or
16 business or professional association, club or other organization or any business entity

with which the committee is affiliated;

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

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

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

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

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

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

3. The receipt of any late contribution or loan of more than two hundred fifty dollars by a candidate committee supporting a candidate for statewide office or by any other committee shall be reported to the appropriate officer no later than forty-eight hours after receipt. For purposes of this subsection the term "late contribution or loan" means a contribution or loan received after the closing date of the last disclosure report required to be filed before an election but received prior to the date of the election itself. The disclosure report of a late contribution may be made by any written means of communication, setting forth the name and address of the contributor or lender and the amount of the contribution or loan and need not contain the signatures and certification required for a full disclosure report described in section 130.041. A late contribution or loan shall be included in subsequent

60 disclosure reports without regard to any special reports filed pursuant to this
61 subsection.]

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

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

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

11 (3) Develop and publish forms and printed instructional material and furnish such forms
12 and instructions to persons required to file reports and statements pursuant to the provisions of
13 this chapter, together with a summary of the provisions of chapter 115, RSMo, which apply to
14 candidates and committees covered by this chapter, provided, however, such forms shall not seek
15 information which is not specifically required by this chapter. All forms furnished pursuant to
16 this chapter shall clearly state in readable type on the face of the form the date on which the form
17 became effective. The forms published by the executive director shall provide for compliance
18 with reporting and other provisions of this chapter. Any report form published by the executive
19 director for purposes of compliance with section 130.041 shall provide for reporting
20 contributions from individuals, corporations, labor organizations and fictitious entities and
21 contributions from committees on the same form. Contributions from committees shall be listed
22 first on each report form. All expenditures shall also be reported on a single report form;

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

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

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

35 (7) Notify a person required to file a report or statement pursuant to this chapter with the

36 Missouri ethics commission immediately if, upon examination of the official ballot or other
37 circumstances surrounding any election, it appears that the person has failed to file a report or
38 statement as required by law;

39 (8) From reports filed with the Missouri ethics commission, prepare and publish an
40 annual report including compilations of amounts contributed and expended for the influencing
41 of nominations and elections;

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

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

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

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

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

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

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

55 (4) Make the reports and statements filed with the officer available for public inspection
56 and copying, commencing as soon as practicable but not later than the end of the second day after
57 which a report was received, and permit copying of any such report or statement by hand or by
58 duplicating machine, as requested by any person, at the expense of such person, but no
59 information obtained from such reports and statements shall be sold or utilized by any person for
60 any commercial purpose;

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

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

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

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

71 (9) Assess every candidate for state or local office failing to file with a local election

72 authority pursuant to section 130.026, a campaign disclosure report as required by this chapter
73 other than the report required pursuant to subdivision (1) of subsection 1 of section 130.046, a
74 late filing fee of ten dollars for each day such report is due to the election authority. The local
75 election authority shall mail a notice, by registered mail, to any candidate and candidate
76 committee treasurer and deputy treasurer who fails to file such report informing such person of
77 such failure and the fees provided by this subdivision. If the candidate persists in such failure
78 for a period in excess of thirty days beyond the receipt of such notice, the amount of the late
79 filing fee shall increase to one hundred dollars for each day that the report is not filed, provided
80 that the total amount of such fees assessed pursuant to this subsection per report shall not exceed
81 three hundred dollars. **Any fee collected pursuant to this subdivision shall be deposited to**
82 **the credit of such county's county school fund pursuant to section 166.131, RSMo.**

83 3. Any person receiving from an appropriate officer a copy of, or who is permitted to
84 inspect or make a copy of, any report or statement filed pursuant to the requirements of this
85 chapter shall sign a statement that the person will not utilize the reports or statements or any
86 information thereon for any commercial use, except for public news reporting, whatsoever and
87 will not transfer the information obtained to any other persons for such purposes. It shall be the
88 responsibility of each appropriate officer to instruct any person making a request to inspect, copy
89 or receive a copy of any report or statement or any portion of a report or statement filed pursuant
90 to this chapter that the utilization of any information obtained from such reports for any
91 commercial purpose is a violation of this chapter.

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

130.063. The receipt of any late contribution or loan of more than two hundred
2 **seventy-five dollars by a candidate committee supporting a candidate for statewide office**
3 **or by any other committee shall be reported to the appropriate officer no later than forty-**
4 **eight hours after receipt. For purposes of this subsection the term "late contribution or**
5 **loan" means a contribution or loan received after the closing date of the last disclosure**
6 **report required to be filed before an election but received prior to the date of the election**

7 itself. The disclosure report of a late contribution may be made by any written means of
8 communication, setting forth the name and address of the contributor or lender and the
9 amount of the contribution or loan and need not contain the signatures and certification
10 required for a full disclosure report described in section 130.041. A late contribution or
11 loan shall be included in subsequent disclosure reports without regard to any special
12 reports filed pursuant to this section.

130.077. 1. Any person who is inaugurated governor at the regularly allotted time
2 following his or her election, pursuant to section 26.015, RSMo, shall report all received
3 contributions for and all expenses associated with such inauguration to the ethics
4 commission, at such regular intervals and times the ethics commission sets on forms
5 created by the ethics commission for such purpose. Such report shall include:

6 (1) A list of all moneys, whether used or unused as of the date of the submission of
7 the report, which were donated by any committee, person or other entity for the funding
8 of such inauguration, and the source of all such moneys, including the name and mailing
9 address of any such committee, person or other entity and the amount contributed by any
10 such committee, person or entity;

11 (2) A list of all moneys transferred from any of such person's campaign funds, or
12 from the funds of any other committee, which were used or intended to be used for the
13 funding of such inauguration, and the name and mailing address of any such committee
14 as well as the amount contributed by such committee; and

15 (3) An itemized documentation of all expenditures put toward such inauguration,
16 with a list of the cost of each individual expenditure; and

17 (4) A list of any other moneys collected for or expended on such inauguration,
18 including the names and mailing addresses of any such donees and the amount contributed
19 by such donees.

20 2. It shall be a violation of this section to expend moneys solicited or collected for
21 inaugural activities, or any interest derived therefrom, on anything other than inaugural
22 activities. On or after March first of any inaugural year, the attorney general may file an
23 action in circuit court to collect, on behalf of the state, all remaining moneys collected for
24 inaugural activities, or any interest derived therefrom, which were not expended on
25 inaugural activities.

26 3. A violation of this section shall be punishable pursuant to section 130.081.

27 4. No rule or portion of a rule promulgated pursuant to this section shall take effect
28 unless such rule has been promulgated pursuant to chapter 536, RSMo.

130.081. 1. Any person who [purposely] knowingly violates the provisions of this
2 chapter is guilty of a class A misdemeanor.

3 2. Any person who fails to file any report or statement required by this chapter within
4 the time periods specified in sections 130.011 to [130.051] **130.049** is guilty of an infraction.

5 3. Notwithstanding any other provision of law which bars prosecutions for any offenses
6 other than a felony unless commenced within one year after the commission of the offense, any
7 offense under the provisions of this chapter may be prosecuted if the indictment be found or
8 prosecution be instituted within three years after the commission of the alleged offense.

9 4. Any prohibition to the contrary notwithstanding, no person shall be deprived of the
10 rights, guarantees, protections or privileges accorded by sections 130.011 to 130.026, 130.031
11 to 130.068, 130.072, and 130.081 by any person, corporation, entity or political subdivision.
12 **Any person or entity who knowingly disseminates false information in a political campaign**
13 **advertisement shall be guilty of a class A misdemeanor and upon conviction shall forfeit**
14 **any public office or public employment held.**

Section 1. 1. The Missouri ethics commission shall design and issue lobbyist name
2 **tags, which shall be worn by each lobbyist, as defined in section 105.470, RSMo, at any**
3 **time when such lobbyist is in or at the state capitol building. The Missouri ethics**
4 **commission shall design such lobbyist name tags in two colors, in a size not smaller than**
5 **two inches by three inches, which shall be fastened on the outside of the lobbyist's garment**
6 **with lettering adequate in size and clarity to be readable at a distance of three feet by**
7 **individuals of normal vision, bearing the name of the lobbyist, the names of the persons**
8 **compensating or appointing such lobbyist and the year. Where a lobbyist has more than**
9 **three persons compensating or appointing such lobbyist during a calendar year, the**
10 **commission shall have placed on such lobbyist's name tag the names of the three primary**
11 **persons compensating or appointing such lobbyist during the calendar year as determined**
12 **by the commission by examination of the lobbyist's report filed pursuant to section 105.470**
13 **RSMo. The commission may charge each lobbyist who is issued a name tag a reasonable**
14 **fee not to exceed the cost of making such name tag.**

15 **2. After January 1, 2002, any lobbyist who fails to wear the name tag prescribed**
16 **in this section for such lobbyist at any time while such lobbyist is in or at the state capitol**
17 **building shall be guilty of a class A misdemeanor.**