

FIRST REGULAR SESSION

# HOUSE BILL NO. 577

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KUESSNER (Sponsor), ROBINSON, KRATKY, WHORTON,  
SANDER, DENISON, HENKE, ROORDA, WAGNER, DETHROW, DAY, WOOD, WELLS,  
WASSON AND GUEST (Co-sponsors).

Read 1<sup>st</sup> time February 16, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0076L.01I

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### AN ACT

To repeal section 105.454, RSMo, and to enact in lieu thereof one new section relating to city boards.

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

Section A. Section 105.454, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 105.454, to read as follows:

105.454. No elected or appointed official or employee of the state or any political subdivision thereof, serving in an executive or administrative capacity, shall:

(1) Perform any service for any agency of the state, or for any political subdivision thereof in which he or she is an officer or employee or over which he or she has supervisory power for receipt or payment of any compensation, other than of the compensation provided for the performance of his or her official duties, in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum, or in the case of a **city board or a school board** five thousand dollars per annum, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer is the lowest received;

(2) Sell, rent or lease any property to any agency of the state, or to any political subdivision thereof in which he or she is an officer or employee or over which he or she has supervisory power and received consideration therefor in excess of five hundred dollars per transaction or one thousand five hundred dollars per year, or in the case of a **city board or a**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 school board five thousand dollars per annum, unless the transaction is made pursuant to an  
16 award on a contract let or sale made after public notice and in the case of property other than real  
17 property, competitive bidding, provided that the bid or offer accepted is the lowest received;

18 (3) Participate in any matter, directly or indirectly, in which he or she attempts to  
19 influence any decision of any agency of the state, or political subdivision thereof in which he or  
20 she is an officer or employee or over which he or she has supervisory power, when he or she  
21 knows the result of such decision may be the acceptance of the performance of a service or the  
22 sale, rental, or lease of any property to that agency for consideration in excess of five hundred  
23 dollars' value per transaction or one thousand five hundred dollars' value per annum to him or  
24 her, to his or her spouse, to a dependent child in his or her custody or to any business with which  
25 he or she is associated unless the transaction is made pursuant to an award on a contract let or  
26 sale made after public notice and in the case of property other than real property, competitive  
27 bidding, provided that the bid or offer accepted is the lowest received;

28 (4) Perform any services during the time of his or her office or employment for any  
29 consideration from any person, firm or corporation, other than the compensation provided for  
30 the performance of his or her official duties, by which service he or she attempts to influence a  
31 decision of any agency of the state, or of any political subdivision in which he or she is an officer  
32 or employee or over which he or she has supervisory power;

33 (5) Perform any service for consideration, during one year after termination of his or her  
34 office or employment, by which performance he or she attempts to influence a decision of any  
35 agency of the state, or a decision of any political subdivision in which he or she was an officer  
36 or employee or over which he or she had supervisory power, except that this provision shall not  
37 be construed to prohibit any person from performing such service and receiving compensation  
38 therefor, in any adversary proceeding or in the preparation or filing of any public document or  
39 to prohibit an employee of the executive department from being employed by any other  
40 department, division or agency of the executive branch of state government. For purposes of this  
41 subdivision, within ninety days after assuming office, the governor shall by executive order  
42 designate those members of his or her staff who have supervisory authority over each  
43 department, division or agency of state government for purposes of application of this  
44 subdivision. The executive order shall be amended within ninety days of any change in the  
45 supervisory assignments of the governor's staff. The governor shall designate not less than three  
46 staff members pursuant to this subdivision;

47 (6) Perform any service for any consideration for any person, firm or corporation after  
48 termination of his or her office or employment in relation to any case, decision, proceeding or  
49 application with respect to which he or she was directly concerned or in which he or she  
50 personally participated during the period of his or her service or employment.