

SECOND REGULAR SESSION

HOUSE BILL NO. 1860

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THRELKELD.

Read 1st time February 22, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5113L.01I

AN ACT

To repeal section 130.032, RSMo, and to enact in lieu thereof one new section relating to limitations on campaign contributions.

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

Section A. Section 130.032, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 130.032, to read as follows:

130.032. 1. In addition to the limitations imposed pursuant to 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 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;

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

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

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

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.

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 **beginning before January 1, 2007, and on the first day**
20 **of January in each odd-numbered year beginning on or after January 1, 2007**, by
21 multiplying the base year amount by the cumulative consumer price index, as defined in section
22 104.010, RSMo, and rounded to the nearest twenty-five-dollar amount, for all years since
23 January 1, 1995.

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

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

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

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

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

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

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

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

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

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

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