

SECOND REGULAR SESSION

HOUSE BILL NO. 1900

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEMPSEY.

Read 1st time February 28, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5172L.01I

AN ACT

To repeal sections 105.473, 105.963, 130.011, 130.016, 130.032, 130.046, and 130.056, RSMo, and to enact in lieu thereof seven new sections relating to campaign finance.

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

Section A. Sections 105.473, 105.963, 130.011, 130.016, 130.032, 130.046, and
2 130.056, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as
3 sections 105.473, 105.963, 130.011, 130.016, 130.032, 130.046, and 130.056, to read 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
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.

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 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 publication
30 expenses; media and other advertising expenses; travel; entertainment; honoraria; meals, food
31 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 **majority party of the house of representatives, minority party of the house of**
47 **representatives, majority party of the senate, and minority party of the senate;**

48 (d) Any expenditure made on behalf of a public official, or the public official's staff,
49 employees, spouse or dependent children, if such expenditure is solicited by such public official,

50 the public official's staff, employees, or spouse or dependent children, from the lobbyist or his
51 or her lobbyist principals and the name of such person or persons, except any expenditures made
52 to any not-for-profit corporation, charitable, fraternal or civic organization or other association
53 formed to provide for good in the order of benevolence;

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

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

58 4. No expenditure reported pursuant to this section shall include any amount expended
59 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to
60 this section shall be valued on the report at the actual amount of the payment made, or the
61 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the
62 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures
63 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of
64 such lobbyists.

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

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

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

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

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

82 10. Any public official or other person whose name appears in any lobbyist report filed
83 pursuant to this section who contests the accuracy of the portion of the report applicable to such
84 person may petition the commission for an audit of such report and shall state in writing in such
85 petition the specific disagreement with the contents of such report. The commission shall

86 investigate such allegations in the manner described in section 105.959. If the commission
87 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter
88 an order requiring filing of an amended or corrected report.

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

97 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose
98 behalf the lobbyist acted, shall provide a general description of the proposed legislation or action
99 by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or
100 opposed.

101 This information shall be supplied to the commission on March fifteenth and May thirtieth of
102 each year.

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

14 2. (1) Any candidate for state or local office who fails to file a campaign disclosure
15 report required pursuant to subdivision (1) of subsection 1 of section 130.046, RSMo, other than
16 a report required to be filed with a local election authority as provided by section 130.026,
17 RSMo, shall be assessed by the executive director a late filing fee of one hundred dollars for each
18 day that the report is not filed, until the first day after the date of the election. After such election

19 date, the amount of such late filing fee shall accrue at the rate of ten dollars per day that such
20 report remains unfiled, except as provided in subdivision (2) of this subsection.

21 (2) The executive director shall mail a notice[, by certified mail or other means to give
22 actual notice,] to any candidate [and candidate committee treasurer and deputy treasurer] who
23 fails to file the report described in subdivision (1) of this subsection informing such person of
24 such failure and the fees provided by this section. If the candidate persists in such failure for a
25 period in excess of thirty days beyond receipt of such notice, the amount of the late filing fee
26 shall increase to one hundred dollars for each day that the report is not filed, provided that the
27 total amount of such fees assessed pursuant to this subsection per report shall not exceed six
28 thousand dollars.

29 3. The executive director shall assess every person required to file a financial interest
30 statement pursuant to sections 105.483 to 105.492 failing to file such a financial interest
31 statement with the commission a late filing fee of ten dollars for each day after such statement
32 is due to the commission. The executive director shall mail a notice[, by certified mail,] to any
33 person who fails to file such statement informing the individual required to file of such failure
34 and the fees provided by this section. If the person persists in such failure for a period in excess
35 of thirty days beyond receipt of such notice, the amount of the late filing fee shall increase to one
36 hundred dollars for each day thereafter that the statement is late, provided that the total amount
37 of such fees assessed pursuant to this subsection per statement shall not exceed six thousand
38 dollars.

39 4. Any person assessed a late filing fee may seek review of such assessment or the
40 amount of late filing fees assessed, at the person's option, by filing a petition within fourteen days
41 after receiving actual notice of assessment with the administrative hearing commission, or
42 without exhausting the person's administrative remedies may seek review of such issues with the
43 circuit court of Cole County.

44 5. The executive director of the Missouri ethics commission shall collect such late filing
45 fees as are provided for in this section. Unpaid late filing fees shall be collected by action filed
46 by the commission. The commission shall contract with the appropriate entity to collect such
47 late filing fees after a thirty-day delinquency. If not collected within one hundred twenty days,
48 the Missouri ethics commission shall file a petition in Cole County circuit court to seek a
49 judgment on said fees. All late filing fees collected pursuant to this section shall be transmitted
50 to the state treasurer and deposited to the general revenue fund.

51 6. The late filing fees provided by this section shall be in addition to any penalty
52 provided by law for violations of sections 105.483 to 105.492 or chapter 130, RSMo.

53 7. If any candidate fails to file a campaign disclosure report in a timely manner and that
54 candidate is assessed a late filing fee, the candidate, candidate committee treasurer or assistant

55 treasurer may file an appeal of the assessment of the late filing fee with the commission. The
56 commission may forgive the assessment of the late filing fee upon a showing of good cause.
57 Such appeal shall be filed within ten days of the receipt of notice of the assessment of the late
58 filing fee.

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 dollars of such aggregate
47 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] **sixty** days prior to the election for which the committee receives contributions or
108 makes 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];

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.

222 Such committee shall terminate no later than December thirty-first of the year prior to the
223 general election for the possible office;

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

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

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

234 (21) "Loan", a transfer of money, property or anything of ascertainable monetary value
235 in exchange for an obligation, conditional or not, to repay in whole or in part and which was
236 contracted, used, or intended for use in an election campaign, or which was made or received by
237 a committee or which was contracted, used, or intended to pay previously incurred campaign
238 debts or obligations of a candidate or the debts or obligations of a committee;

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

245 (23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry,
246 literature, or other items sold or distributed at a fund-raising event or to the general public for

247 publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for
248 nomination or election or in supporting or opposing the qualification, passage or defeat of a
249 ballot measure;

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

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

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

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

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

130.016. 1. No candidate for statewide elected office, general assembly, or municipal
2 office in a city with a population of more than one hundred thousand shall be required to comply
3 with the requirements to file a statement of organization or disclosure reports of contributions
4 and expenditures for any election in which neither the aggregate of contributions received nor
5 the aggregate of expenditures made on behalf of such candidate exceeds five hundred dollars and
6 no single contributor, other than the candidate, has contributed more than the amount of the
7 limitation on contributions to elect an individual to the office of state representative as calculated
8 in subsection 2 of section 130.032, 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 the candidate, that aggregate more than the amount of the limitation on contributions to elect an
13 individual to the office of state representative as calculated in subsection 2 of section 130.032,
14 and that the total of all contributions received or expenditures made by the candidate and all
15 committees or any other person with the candidate's knowledge and consent in support of the
16 candidacy will not exceed five hundred dollars and that the aggregate of contributions received
17 from any single contributor will not exceed the amount of the limitation on contributions to elect
18 an individual to the office of state representative as calculated in subsection 2 of section 130.032.
19 Such exemption statement shall be filed no later than the date set forth in section 130.046 on

20 which a disclosure report would otherwise be required if the candidate does not file the
21 exemption statement. The exemption statement shall be filed on a form furnished to each
22 appropriate officer by the executive director of the Missouri ethics commission. Each
23 appropriate officer shall make the exemption statement available to candidates and shall direct
24 each candidate's attention to the exemption statement and explain its purpose to the candidate;
25 and

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

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

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

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

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

65 6. No candidate for supreme court, circuit court, or associate circuit court, or candidate
66 for political party office, or for county office or municipal office in a city of one hundred
67 thousand or less, or for any special purpose district office shall be required to file an exemption
68 statement pursuant to this section in order to be exempted from forming a committee and filing
69 disclosure reports required of committees pursuant to this chapter if the aggregate of
70 contributions received or expenditures made by the candidate and any other person with the
71 candidate's knowledge and consent in support of the person's candidacy does not exceed one
72 thousand dollars and the aggregate of contributions from any single contributor does not exceed
73 the amount of the limitation on contributions to elect an individual to the office of state
74 representative as calculated in subsection 2 of section 130.032. No candidate for any office
75 listed in this subsection shall be excused from complying with the provisions of any section of
76 this chapter, other than the filing of an exemption statement under the conditions specified in this
77 subsection.

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

82 **8. No member of or candidate for the general assembly shall form a candidate**
83 **committee for the office of speaker of the house of representatives or president pro tem of**
84 **the senate.**

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

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

6 (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] **two** 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] **2006**. Such limits shall be increased on the first
19 day of January in each even-numbered year by multiplying the base year amount by the
20 cumulative consumer price index, as defined in section 104.010, RSMo, and rounded to the
21 nearest twenty-five-dollar amount, for all years since January 1, 1995.

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

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

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

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

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

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

38

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

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

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

55 7.] 4. Any committee which accepts or gives contributions other than those allowed shall
56 be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per
57 nonallowable contribution, to be paid to the ethics commission and which shall be transferred
58 to the director of revenue, upon notification of such nonallowable contribution by the ethics
59 commission, and after the candidate has had ten business days after receipt of notice to return
60 the contribution to the contributor. The candidate and the candidate committee treasurer or
61 deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge
62 or may pay such surcharge only from campaign funds existing on the date of the receipt of
63 notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to,
64 the provisions of chapter 143, RSMo.

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

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

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

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

42 3. The candidate, if applicable, treasurer or deputy treasurer of a committee shall file
43 disclosure reports pursuant to this section, except for any calendar quarter in which the
44 contributions received by the committee or the expenditures or contributions made by the
45 committee do not exceed five hundred dollars. The reporting dates and periods covered for such
46 quarterly reports shall not be later than the fifteenth day of January, April, July and October for
47 periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day
48 of June and the thirtieth day of September. No candidate, treasurer or deputy treasurer shall be
49 required to file the quarterly disclosure report required not later than the fifteenth day of any

50 January immediately following a November election, provided that such candidate, treasurer or
51 deputy treasurer shall file the information required on such quarterly report on the quarterly
52 report to be filed not later than the fifteenth day of April immediately following such November
53 election. Each report by such committee shall be cumulative from the date of the last report. In
54 the case of the continuing committee's first report, the report shall be cumulative from the date
55 of the continuing committee's organization. Every candidate, treasurer or deputy treasurer shall
56 file, at a minimum, the campaign disclosure reports covering the quarter immediately preceding
57 the date of the election and those required by subdivisions (1) and (2) of subsection 1 of this
58 section. A continuing committee shall submit additional reports if it makes aggregate
59 expenditures, other than contributions to a committee, of five hundred dollars or more, within
60 the reporting period at the following times for the following periods:

61 (1) Not later than the eighth day before an election for the period closing on the twelfth
62 day before the election;

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

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

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

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

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

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

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

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

103 6. (1) If the disclosure report required to be filed by a committee not later than the
104 thirtieth day after an election shows a deficit of unpaid loans and other outstanding obligations
105 in excess of five thousand dollars, semiannual supplemental disclosure reports shall be filed with
106 the appropriate officer for each succeeding semiannual period until the deficit is reported in a
107 disclosure report as being reduced to five thousand dollars or less; except that, a supplemental
108 semiannual report shall not be required for any semiannual period which includes the closing
109 date for the reporting period covered in any regular disclosure report which the committee is
110 required to file in connection with an election. The reporting dates and periods covered for
111 semiannual reports shall be not later than the fifteenth day of January and July for periods closing
112 on the thirty-first day of December and the thirtieth day of June;

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

117 7. In the case of a committee which disbands and is required to file a termination
118 statement pursuant to the provisions of section 130.021 with the appropriate officer not later than
119 the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy
120 treasurer shall attach to the termination statement a complete disclosure report for the period

121 closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8
122 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the
123 reporting requirements of subsection 6 or 7 of this section.

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

129 **9. Each candidate for the office of state representative, state senator, and for any**
130 **statewide office shall electronically file all disclosure reports described in section 130.041**
131 **with the Missouri ethics commission. The ethics commission shall promulgate rules to**
132 **establish Microsoft Corporation products as the standard for use with electronic filings**
133 **with the commission, and shall promulgate rules requiring the importation of files to the**
134 **reporting program.**

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 **(12) Audit all campaign disclosure reports filed by candidates with the Missouri**
49 **ethics commission to ensure compliance with the law. The executive director shall provide**
50 **a report to the general assembly on the fifteenth day of May, August, November, and**
51 **February of each year, stating the types of errors, missing information, incorrect reporting,**
52 **and other errors found in the disclosure reports filed in the previous quarter. The report**
53 **shall be designed to assist any person filing a campaign finance disclosure report to avoid**
54 **filing errors. The executive director shall also post a list of the incorrect or missing items**
55 **to accompany each incorrect or incomplete report on the Internet;**

56 **(13) Audit selected monthly lobbyist disclosure reports to determine compliance**
57 **with all lobbyist reporting laws. The commission shall provide an annual report to the**

58 **general assembly containing the results of the audit. The commission shall also post a list**
59 **of the errors in the audit to accompany each incorrect or incomplete report on the Internet;**

60 **(14) The executive director shall post on the Internet all letters sent to the**
61 **committee treasurer or to the candidate requesting information relating contributions or**
62 **expenditures or other information concerning a report and any problems found on a report**
63 **to accompany each report. If the error on the report relates to a contribution, and the**
64 **error is not corrected within thirty days of the date of the commission's letter, the**
65 **contribution shall escheat to the state. If an error on the report relates to an expenditure,**
66 **and the error is not corrected within thirty days, the amount of the expenditure shall be**
67 **forwarded to the state treasurer.**

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

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

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

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

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

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

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

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

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

91 (9) Assess every candidate for state or local office failing to file with a local election
92 authority pursuant to section 130.026, a campaign disclosure report as required by this chapter
93 other than the report required pursuant to subdivision (1) of subsection 1 of section 130.046, a

94 late filing fee of ten dollars for each day such report is due to the election authority. The local
95 election authority shall mail a notice, by registered mail, to any candidate and candidate
96 committee treasurer and deputy treasurer who fails to file such report informing such person of
97 such failure and the fees provided by this subdivision. If the candidate persists in such failure
98 for a period in excess of thirty days beyond the receipt of such notice, the amount of the late
99 filing fee shall increase to one hundred dollars for each day that the report is not filed, provided
100 that the total amount of such fees assessed pursuant to this subsection per report shall not exceed
101 three hundred dollars.

102 3. Any person receiving from an appropriate officer a copy of, or who is permitted to
103 inspect or make a copy of, any report or statement filed pursuant to the requirements of this
104 chapter shall sign a statement that the person will not utilize the reports or statements or any
105 information thereon for any commercial use, except for public news reporting, whatsoever and
106 will not transfer the information obtained to any other persons for such purposes. It shall be the
107 responsibility of each appropriate officer to instruct any person making a request to inspect, copy
108 or receive a copy of any report or statement or any portion of a report or statement filed pursuant
109 to this chapter that the utilization of any information obtained from such reports for any
110 commercial purpose is a violation of this chapter.

✓