

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1900

1 AN ACT

2 To repeal sections 105.470, 105.473, 105.485, 105.957,
3 105.959, 105.963, 130.011, 130.016, 130.032, 130.046,
4 130.050, and 130.054, RSMo, and to enact in lieu
5 thereof sixteen new sections relating to ethics, with
6 an effective date.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
8 AS FOLLOWS:

9 Section A. Sections 105.470, 105.473, 105.485, 105.957,
10 105.959, 105.963, 130.011, 130.016, 130.032, 130.046, 130.050,
11 and 130.054, RSMo, are repealed and sixteen new sections enacted
12 in lieu thereof, to be known as sections 105.470, 105.473,
13 105.485, 105.957, 105.959, 105.963, 115.342, 115.350, 130.011,
14 130.016, 130.032, 130.042, 130.046, 130.050, 130.054, and 1, to
15 read as follows:

16 105.470. As used in section 105.473, unless the context
17 requires otherwise, the following words and terms mean:

18 (1) "Elected local government official lobbyist", any
19 natural person employed specifically for the purpose of
20 attempting to influence any action by a local government official
21 elected in a county, city, town, or village with an annual

1 operating budget of over ten million dollars;

2 (2) "Executive lobbyist", any natural person who acts for
3 the purpose of attempting to influence any action by the
4 executive branch of government or by any elected or appointed
5 official, employee, department, division, agency or board or
6 commission thereof and in connection with such activity, meets
7 the requirements of any one or more of the following:

8 (a) Is acting in the ordinary course of employment on
9 behalf of or for the benefit of such person's employer; or

10 (b) Is engaged for pay or for any valuable consideration
11 for the purpose of performing such activity; or

12 (c) Is designated to act as a lobbyist by any person,
13 business entity, governmental entity, religious organization,
14 nonprofit corporation, association or other entity; or

15 (d) Makes total expenditures of fifty dollars or more
16 during the twelve-month period beginning January first and ending
17 December thirty-first for the benefit of one or more public
18 officials or one or more employees of the executive branch of
19 state government in connection with such activity.

20 An "executive lobbyist" shall not include a member of the general
21 assembly, an elected state official, or any other person solely
22 due to such person's participation in any of the following
23 activities:

24 a. Appearing or inquiring in regard to a complaint,
25 citation, summons, adversary proceeding, or contested case before
26 a state board, commission, department, division or agency of the
27 executive branch of government or any elected or appointed
28 officer or employee thereof;

1 b. Preparing, filing or inquiring, or responding to any
2 audit, regarding any tax return, any public document, permit or
3 contract, any application for any permit or license or
4 certificate, or any document required or requested to be filed
5 with the state or a political subdivision;

6 c. Selling of goods or services to be paid for by public
7 funds, provided that such person is attempting to influence only
8 the person authorized to authorize or enter into a contract to
9 purchase the goods or services being offered for sale;

10 d. Participating in public hearings or public proceedings
11 on rules, grants, or other matters;

12 e. Responding to any request for information made by any
13 public official or employee of the executive branch of
14 government;

15 f. Preparing or publication of an editorial, a newsletter,
16 newspaper, magazine, radio or television broadcast, or similar
17 news medium, whether print or electronic;

18 g. Acting within the scope of employment by the general
19 assembly, or acting within the scope of employment by the
20 executive branch of government when acting with respect to the
21 department, division, board, commission, agency or elected state
22 officer by which such person is employed, or with respect to any
23 duty or authority imposed by law to perform any action in
24 conjunction with any other public official or state employee; or

25 h. Testifying as a witness before a state board, commission
26 or agency of the executive branch;

27 [(2)] (3) "Expenditure", any payment made or charge,
28 expense, cost, debt or bill incurred; any gift, honorarium or

1 item of value bestowed including any food or beverage; any price,
2 charge or fee which is waived, forgiven, reduced or indefinitely
3 delayed; any loan or debt which is canceled, reduced or otherwise
4 forgiven; the transfer of any item with a reasonably discernible
5 cost or fair market value from one person to another or provision
6 of any service or granting of any opportunity for which a charge
7 is customarily made, without charge or for a reduced charge;
8 except that the term "expenditure" shall not include the
9 following:

10 (a) Any item, service or thing of value transferred to any
11 person within the third degree of consanguinity of the transferor
12 which is unrelated to any activity of the transferor as a
13 lobbyist;

14 (b) Informational material such as books, reports,
15 pamphlets, calendars or periodicals informing a public official
16 regarding such person's official duties, or souvenirs or mementos
17 valued at less than ten dollars;

18 (c) Contributions to the public official's campaign
19 committee or candidate committee which are reported pursuant to
20 the provisions of chapter 130, RSMo;

21 (d) Any loan made or other credit accommodations granted or
22 other payments made by any person or entity which extends credit
23 or makes loan accommodations or such payments in the regular
24 ordinary scope and course of business, provided that such are
25 extended, made or granted in the ordinary course of such person's
26 or entity's business to persons who are not public officials;

27 (e) Any item, service or thing of de minimis value offered
28 to the general public, whether or not the recipient is a public

1 official or a staff member, employee, spouse or dependent child
2 of a public official, and only if the grant of the item, service
3 or thing of de minimis value is not motivated in any way by the
4 recipient's status as a public official or staff member,
5 employee, spouse or dependent child of a public official;

6 (f) The transfer of any item, provision of any service or
7 granting of any opportunity with a reasonably discernible cost or
8 fair market value when such item, service or opportunity is
9 necessary for a public official or employee to perform his or her
10 duty in his or her official capacity, including but not limited
11 to entrance fees to any sporting event, museum, or other venue
12 when the official or employee is participating in a ceremony,
13 public presentation or official meeting therein;

14 (g) Any payment, gift, compensation, fee, expenditure or
15 anything of value which is bestowed upon or given to any public
16 official or a staff member, employee, spouse or dependent child
17 of a public official when it is compensation for employment or
18 given as an employment benefit and when such employment is in
19 addition to their employment as a public official;

20 [(3)] (4) "Judicial lobbyist", any natural person who acts
21 for the purpose of attempting to influence any purchasing
22 decision by the judicial branch of government or by any elected
23 or appointed official or any employee thereof and in connection
24 with such activity, meets the requirements of any one or more of
25 the following:

26 (a) Is acting in the ordinary course of employment which
27 primary purpose is to influence the judiciary in its purchasing
28 decisions on a regular basis on behalf of or for the benefit of

1 such person's employer, except that this shall not apply to any
2 person who engages in lobbying on an occasional basis only and
3 not as a regular pattern of conduct; or

4 (b) Is engaged for pay or for any valuable consideration
5 for the purpose of performing such activity; or

6 (c) Is designated to act as a lobbyist by any person,
7 business entity, governmental entity, religious organization,
8 nonprofit corporation or association; or

9 (d) Makes total expenditures of fifty dollars or more
10 during the twelve-month period beginning January first and ending
11 December thirty-first for the benefit of one or more public
12 officials or one or more employees of the judicial branch of
13 state government in connection with attempting to influence such
14 purchasing decisions by the judiciary.

15 A "judicial lobbyist" shall not include a member of the general
16 assembly, an elected state official, or any other person solely
17 due to such person's participation in any of the following
18 activities:

19 a. Appearing or inquiring in regard to a complaint,
20 citation, summons, adversary proceeding, or contested case before
21 a state court;

22 b. Participating in public hearings or public proceedings
23 on rules, grants, or other matters;

24 c. Responding to any request for information made by any
25 judge or employee of the judicial branch of government;

26 d. Preparing, distributing or publication of an editorial,
27 a newsletter, newspaper, magazine, radio or television broadcast,

1 or similar news medium, whether print or electronic; or

2 e. Acting within the scope of employment by the general
3 assembly, or acting within the scope of employment by the
4 executive branch of government when acting with respect to the
5 department, division, board, commission, agency or elected state
6 officer by which such person is employed, or with respect to any
7 duty or authority imposed by law to perform any action in
8 conjunction with any other public official or state employee;

9 [(4)] (5) "Legislative lobbyist", any natural person who
10 acts for the purpose of attempting to influence the taking,
11 passage, amendment, delay or defeat of any official action on any
12 bill, resolution, amendment, nomination, appointment, report or
13 any other action or any other matter pending or proposed in a
14 legislative committee in either house of the general assembly, or
15 in any matter which may be the subject of action by the general
16 assembly and in connection with such activity, meets the
17 requirements of any one or more of the following:

18 (a) Is acting in the ordinary course of employment, which
19 primary purpose is to influence legislation on a regular basis,
20 on behalf of or for the benefit of such person's employer, except
21 that this shall not apply to any person who engages in lobbying
22 on an occasional basis only and not as a regular pattern of
23 conduct; or

24 (b) Is engaged for pay or for any valuable consideration
25 for the purpose of performing such activity; or

26 (c) Is designated to act as a lobbyist by any person,
27 business entity, governmental entity, religious organization,
28 nonprofit corporation, association or other entity; or

1 (d) Makes total expenditures of fifty dollars or more
2 during the twelve-month period beginning January first and ending
3 December thirty-first for the benefit of one or more public
4 officials or one or more employees of the legislative branch of
5 state government in connection with such activity.

6 A "legislative lobbyist" shall include an attorney at law engaged
7 in activities on behalf of any person unless excluded by any of
8 the following exceptions. A "legislative lobbyist" shall not
9 include any member of the general assembly, an elected state
10 official, or any other person solely due to such person's
11 participation in any of the following activities:

12 a. Responding to any request for information made by any
13 public official or employee of the legislative branch of
14 government;

15 b. Preparing or publication of an editorial, a newsletter,
16 newspaper, magazine, radio or television broadcast, or similar
17 news medium, whether print or electronic;

18 c. Acting within the scope of employment of the legislative
19 branch of government when acting with respect to the general
20 assembly or any member thereof;

21 d. Testifying as a witness before the general assembly or
22 any committee thereof;

23 [(5)] (6) "Lobbyist", any natural person defined as an
24 executive lobbyist, judicial lobbyist, elected local government
25 official lobbyist, or a legislative lobbyist;

26 [(6)] (7) "Lobbyist principal", any person, business
27 entity, governmental entity, religious organization, nonprofit
28 corporation or association who employs, contracts for pay or

1 otherwise compensates a lobbyist;

2 [(7)] (8) "Public official", any member or member-elect of
3 the general assembly, judge or judicial officer, or any other
4 person holding an elective office of state government or any
5 agency head, department director or division director of state
6 government or any member of any state board or commission and any
7 designated decision-making public servant designated by persons
8 described in this subdivision.

9 105.473. 1. Each lobbyist shall, not later than January
10 fifth of each year or five days after beginning any activities as
11 a lobbyist, file standardized registration forms, verified by a
12 written declaration that it is made under the penalties of
13 perjury, along with a filing fee of ten dollars, with the
14 commission. The forms shall include the lobbyist's name and
15 business address, the name and address of all persons such
16 lobbyist employs for lobbying purposes, the name and address of
17 each lobbyist principal by whom such lobbyist is employed or in
18 whose interest such lobbyist appears or works. The commission
19 shall maintain files on all lobbyists' filings, which shall be
20 open to the public. Each lobbyist shall file an updating
21 statement under oath within one week of any addition, deletion,
22 or change in the lobbyist's employment or representation. The
23 filing fee shall be deposited to the general revenue fund of the
24 state. The lobbyist principal or a lobbyist employing another
25 person for lobbying purposes may notify the commission that a
26 judicial, executive or legislative lobbyist is no longer
27 authorized to lobby for the principal or the lobbyist and should
28 be removed from the commission's files.

1 2. Each person shall, before giving testimony before any
2 committee of the general assembly, give to the secretary of such
3 committee such person's name and address and the identity of any
4 lobbyist or organization, if any, on whose behalf such person
5 appears. A person who is not a lobbyist as defined in section
6 105.470 shall not be required to give such person's address if
7 the committee determines that the giving of such address would
8 endanger the person's physical health.

9 3. (1) During any period of time in which a lobbyist
10 continues to act as an executive lobbyist, judicial lobbyist [or
11 a], legislative lobbyist, or elected local government official
12 lobbyist, the lobbyist shall file with the commission on
13 standardized forms prescribed by the commission monthly reports
14 which shall be due at the close of business on the tenth day of
15 the following month;

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

19 (a) The total of all expenditures by the lobbyist or his or
20 her lobbyist principals made on behalf of all public officials,
21 their staffs and employees, and their spouses and dependent
22 children, which expenditures shall be separated into at least the
23 following categories by the executive branch, judicial branch and
24 legislative branch of government: printing and publication
25 expenses; media and other advertising expenses; travel; the time,
26 venue, and nature of any entertainment; honoraria; meals, food
27 and beverages; and gifts;

28 (b) The total of all expenditures by the lobbyist or his or

1 her lobbyist principals made on behalf of all elected local
2 government officials, their staffs and employees, and their
3 spouses and children. Such expenditures shall be separated into
4 at least the following categories: printing and publication
5 expenses; media and other advertising expenses; travel; the time,
6 venue, and nature of any entertainment; honoraria; meals; food
7 and beverages; and gifts;

8 (c) An itemized listing of the name of the recipient and
9 the nature and amount of each expenditure by the lobbyist or his
10 or her lobbyist principal, including a service or anything of
11 value, for all expenditures made during any reporting period,
12 paid or provided to or for a public official or elected local
13 government official, such official's staff, employees, spouse or
14 dependent children;

15 ~~[(c)]~~ (d) The total of all expenditures made by a lobbyist
16 or lobbyist principal for occasions and the identity of the group
17 invited, the date and description of the occasion and the amount
18 of the expenditure for each occasion when any of the following
19 are invited in writing:

20 a. All members of the senate;

21 b. All members of the house of representatives;

22 c. All members of a joint committee of the general assembly
23 or a standing committee of either the house of representatives or
24 senate; or

25 d. All members of a caucus of the [general assembly if the
26 caucus consists of at least ten members, a list of the members of
27 the caucus has been previously filed with the ethics committee of
28 the house or the senate, and such list has been approved by

1 either of such ethics committees] majority party of the house of
2 representatives, minority party of the house of representatives,
3 majority party of the senate, or minority party of the senate;

4 [(d)] (e) Any expenditure made on behalf of a public
5 official, an elected local government official or [the public]
6 such official's staff, employees, spouse or dependent children,
7 if such expenditure is solicited by such [public] official, the
8 [public] official's staff, employees, or spouse or dependent
9 children, from the lobbyist or his or her lobbyist principals and
10 the name of such person or persons, except any expenditures made
11 to any not-for-profit corporation, charitable, fraternal or civic
12 organization or other association formed to provide for good in
13 the order of benevolence;

14 [(e)] (f) A statement detailing any direct business
15 relationship or association or partnership the lobbyist has with
16 any public official or elected local government official.

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

21 4. No expenditure reported pursuant to this section shall
22 include any amount expended by a lobbyist or lobbyist principal
23 on himself or herself. All expenditures disclosed pursuant to
24 this section shall be valued on the report at the actual amount
25 of the payment made, or the charge, expense, cost, or obligation,
26 debt or bill incurred by the lobbyist or the person the lobbyist
27 represents. Whenever a lobbyist principal employs more than one
28 lobbyist, expenditures of the lobbyist principal shall not be

1 reported by each lobbyist, but shall be reported by one of such
2 lobbyists. No expenditure shall be made on behalf of a state
3 senator or state representative, or such public official's staff,
4 employees, spouse, or dependent children for travel or lodging
5 outside the state of Missouri unless such travel or lodging was
6 approved prior to the date of the expenditure by the
7 administration and accounts committee of the house or the
8 administration committee of the senate.

9 5. Any lobbyist principal shall provide in a timely fashion
10 whatever information is reasonably requested by the lobbyist
11 principal's lobbyist for use in filing the reports required by
12 this section.

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

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

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

28 9. The prosecuting attorney of Cole County shall be

1 reimbursed only out of funds specifically appropriated by the
2 general assembly for investigations and prosecutions for
3 violations of this section.

4 10. Any public official or other person whose name appears
5 in any lobbyist report filed pursuant to this section who
6 contests the accuracy of the portion of the report applicable to
7 such person may petition the commission for an audit of such
8 report and shall state in writing in such petition the specific
9 disagreement with the contents of such report. The commission
10 shall investigate such allegations in the manner described in
11 section 105.959. If the commission determines that the contents
12 of such report are incorrect, incomplete or erroneous, it shall
13 enter an order requiring filing of an amended or corrected
14 report.

15 11. The commission shall provide a report listing the total
16 spent by a lobbyist for the month and year to any member or
17 member-elect of the general assembly, judge or judicial officer,
18 or any other person holding an elective office of state
19 government or any elected local government official on or before
20 the twentieth day of each month. For the purpose of providing
21 accurate information to the public, the commission shall not
22 publish information in either written or electronic form for ten
23 working days after providing the report pursuant to this
24 subsection. The commission shall not release any portion of the
25 lobbyist report if the accuracy of the report has been questioned
26 pursuant to subsection 10 of this section unless it is
27 conspicuously marked "Under Review".

28 12. Each lobbyist or lobbyist principal by whom the

1 lobbyist was employed, or in whose behalf the lobbyist acted,
2 shall provide a general description of the proposed legislation
3 or action by the executive branch or judicial branch which the
4 lobbyist or lobbyist principal supported or opposed. This
5 information shall be supplied to the commission on March
6 fifteenth and May thirtieth of each year.

7 13. The provisions of this section shall supersede any
8 contradicting ordinances or charter provisions.

9 105.485. 1. Each financial interest statement required by
10 sections 105.483 to 105.492 shall be on a form prescribed by the
11 commission and shall be signed and verified by a written
12 declaration that it is made under penalties of perjury; provided,
13 however, the form shall not seek information which is not
14 specifically required by sections 105.483 to 105.492.

15 2. Each person required to file a financial interest
16 statement pursuant to subdivisions (1) to (12) of section 105.483
17 shall file the following information for himself, his spouse and
18 dependent children at any time during the period covered by the
19 statement, whether singularly or collectively; provided, however,
20 that said person, if he does not know and his spouse will not
21 divulge any information required to be reported by this section
22 concerning the financial interest of his spouse, shall state on
23 his financial interest statement that he has disclosed that
24 information known to him and that his spouse has refused or
25 failed to provide other information upon his bona fide request,
26 and such statement shall be deemed to satisfy the requirements of
27 this section for such financial interest of his spouse; and
28 provided further if the spouse of any person required to file a

1 financial interest statement is also required by section 105.483
2 to file a financial interest statement, the financial interest
3 statement filed by each need not disclose the financial interest
4 of the other, provided that each financial interest statement
5 shall state that the spouse of the person has filed a separate
6 financial interest statement and the name under which the
7 statement was filed:

8 (1) The name and address of each of the employers of such
9 person from whom income of one thousand dollars or more was
10 received during the year covered by the statement;

11 (2) The name and address of each sole proprietorship which
12 he owned; the name, address and the general nature of the
13 business conducted of each general partnership and joint venture
14 in which he was a partner or participant; the name and address of
15 each partner or coparticipant for each partnership or joint
16 venture unless such names and addresses are filed by the
17 partnership or joint venture with the secretary of state; the
18 name, address and general nature of the business conducted of any
19 closely held corporation or limited partnership in which the
20 person owned ten percent or more of any class of the outstanding
21 stock or limited partners' units; and the name of any publicly
22 traded corporation or limited partnership which is listed on a
23 regulated stock exchange or automated quotation system in which
24 the person owned two percent or more of any class of outstanding
25 stock, limited partnership units or other equity interests;

26 (3) The name and address of any other source not reported
27 pursuant to subdivisions (1) and (2) and subdivisions (4) to (9)
28 of this subsection from which such person received one thousand

1 dollars or more of income during the year covered by the
2 statement, including, but not limited to, any income otherwise
3 required to be reported on any tax return such person is required
4 by law to file; except that only the name of any publicly traded
5 corporation or limited partnership which is listed on a regulated
6 stock exchange or automated quotation system need be reported
7 pursuant to this subdivision;

8 (4) The location by county, the subclassification for
9 property tax assessment purposes, the approximate size and a
10 description of the major improvements and use for each parcel of
11 real property in the state, other than the individual's personal
12 residence, having a fair market value of ten thousand dollars or
13 more in which such person held a vested interest including a
14 leasehold for a term of ten years or longer, and, if the property
15 was transferred during the year covered by the statement, the
16 name and address of the persons furnishing or receiving
17 consideration for such transfer;

18 (5) The name and address of each entity in which such
19 person owned stock, bonds or other equity interest with a value
20 in excess of ten thousand dollars; except that, if the entity is
21 a corporation listed on a regulated stock exchange, only the name
22 of the corporation need be listed; and provided that any member
23 of any board or commission of the state or any political
24 subdivision who does not receive any compensation for his
25 services to the state or political subdivision other than
26 reimbursement for his actual expenses or a per diem allowance as
27 prescribed by law for each day of such service, need not report
28 interests in publicly traded corporations or limited partnerships

1 which are listed on a regulated stock exchange or automated
2 quotation system pursuant to this subdivision; and provided
3 further that the provisions of this subdivision shall not require
4 reporting of any interest in any qualified plan or annuity
5 pursuant to the Employees' Retirement Income Security Act;

6 (6) The name and address of each corporation for which such
7 person served in the capacity of a director, officer or receiver;

8 (7) The name and address of each not-for-profit corporation
9 and each association, organization, or union, whether
10 incorporated or not, except not-for-profit corporations formed to
11 provide church services, fraternal organizations or service clubs
12 from which the officer or employee draws no remuneration, in
13 which such person was an officer, director, employee or trustee
14 at any time during the year covered by the statement, and for
15 each such organization, a general description of the nature and
16 purpose of the organization;

17 (8) The name and address of each source from which such
18 person received a gift or gifts, or honorarium or honoraria in
19 excess of two hundred dollars in value per source during the year
20 covered by the statement other than gifts from persons within the
21 third degree of consanguinity or affinity of the person filing
22 the financial interest statement. For the purposes of this
23 section, a gift shall not be construed to mean political
24 contributions otherwise required to be reported by law or
25 hospitality such as food, beverages or admissions to social, art,
26 or sporting events or the like, or informational material. For
27 the purposes of this section, a gift shall include gifts to or by
28 creditors of the individual for the purpose of canceling,

1 reducing or otherwise forgiving the indebtedness of the
2 individual to that creditor;

3 (9) The lodging and travel expenses provided by any third
4 person for expenses incurred outside the state of Missouri
5 whether by gift or in relation to the duties of office of such
6 official, except that such statement shall not include travel or
7 lodging expenses:

8 (a) Paid in the ordinary course of business for businesses
9 described in subdivisions (1), (2), (5) and (6) of this
10 subsection which are related to the duties of office of such
11 official; or

12 (b) For which the official may be reimbursed as provided by
13 law; or

14 (c) Paid by persons related by the third degree of
15 consanguinity or affinity to the person filing the statement; or

16 (d) Expenses which are reported by the campaign committee
17 or candidate committee of the person filing the statement
18 pursuant to the provisions of chapter 130, RSMo; or

19 (e) Paid for purely personal purposes which are not related
20 to the person's official duties by a third person who is not a
21 lobbyist, a lobbyist principal or member, or officer or director
22 of a member, of any association or entity which employs a
23 lobbyist. The statement shall include the name and address of
24 such person who paid the expenses, the date such expenses were
25 incurred, the amount incurred, the location of the travel and
26 lodging, and the nature of the services rendered or reason for
27 the expenses;

28 (10) The assets in any revocable trust of which the

1 individual is the settlor if such assets would otherwise be
2 required to be reported under this section;

3 (11) The name, position and relationship of any relative
4 within the first degree of consanguinity or affinity to any other
5 person who:

6 (a) Is employed by the state of Missouri, by a political
7 subdivision of the state or special district, as defined in
8 section 115.013, RSMo, of the state of Missouri;

9 (b) Is a lobbyist; or

10 (c) Is a fee agent of the department of revenue;

11 (12) The name and address of each campaign committee,
12 political committee, candidate committee, or continuing committee
13 for which such person or any corporation listed on such persons
14 financial interest statement received payment.

15 3. For the purposes of subdivisions (1), (2) and (3) of
16 subsection 2 of this section, an individual shall be deemed to
17 have received a salary from his employer or income from any
18 source at the time when he shall receive a negotiable instrument
19 whether or not payable at a later date and at the time when under
20 the practice of his employer or the terms of an agreement, he has
21 earned or is entitled to anything of actual value whether or not
22 delivery of the value is deferred or right to it has vested. The
23 term "income" as used in this section shall have the same meaning
24 as provided in the Internal Revenue Code of 1986, and amendments
25 thereto, as the same may be or becomes effective, at any time or
26 from time to time for the taxable year, provided that income
27 shall not be considered received or earned for purposes of this
28 section from a partnership or sole proprietorship until such

1 income is converted from business to personal use.

2 4. Each official, officer or employee or candidate of any
3 political subdivision described in subdivision (11) of section
4 105.483 shall be required to file a financial interest statement
5 as required by subsection 2 of this section, unless the political
6 subdivision biennially adopts an ordinance, order or resolution
7 at an open meeting by September fifteenth of the preceding year,
8 which establishes and makes public its own method of disclosing
9 potential conflicts of interest and substantial interests and
10 therefore excludes the political subdivision or district and its
11 officers and employees from the requirements of subsection 2 of
12 this section. A certified copy of the ordinance, order or
13 resolution shall be sent to the commission within ten days of its
14 adoption. The commission shall assist any political subdivision
15 in developing forms to complete the requirements of this
16 subsection. The ordinance, order or resolution shall contain, at
17 a minimum, the following requirements with respect to disclosure
18 of substantial interests:

19 (1) Disclosure in writing of the following described
20 transactions, if any such transactions were engaged in during the
21 calendar year:

22 (a) For such person, and all persons within the first
23 degree of consanguinity or affinity of such person, the date and
24 the identities of the parties to each transaction with a total
25 value in excess of five hundred dollars, if any, that such person
26 had with the political subdivision, other than compensation
27 received as an employee or payment of any tax, fee or penalty due
28 to the political subdivision, and other than transfers for no

1 consideration to the political subdivision;

2 (b) The date and the identities of the parties to each
3 transaction known to the person with a total value in excess of
4 five hundred dollars, if any, that any business entity in which
5 such person had a substantial interest, had with the political
6 subdivision, other than payment of any tax, fee or penalty due to
7 the political subdivision or transactions involving payment for
8 providing utility service to the political subdivision, and other
9 than transfers for no consideration to the political subdivision;

10 (2) The chief administrative officer and chief purchasing
11 officer of such political subdivision shall disclose in writing
12 the information described in subdivisions (1), (2) and (6) of
13 subsection 2 of this section;

14 (3) Disclosure of such other financial interests applicable
15 to officials, officers and employees of the political
16 subdivision, as may be required by the ordinance or resolution;

17 (4) Duplicate disclosure reports made pursuant to this
18 subsection shall be filed with the commission and the governing
19 body of the political subdivision. The clerk of such governing
20 body shall maintain such disclosure reports available for public
21 inspection and copying during normal business hours.

22 105.957. 1. The commission shall receive any complaints
23 alleging violation of the provisions of:

24 (1) The requirements imposed on lobbyists by sections
25 105.470 to 105.478;

26 (2) The financial interest disclosure requirements
27 contained in sections 105.483 to 105.492;

28 (3) The campaign finance disclosure requirements contained

1 in chapter 130, RSMo;

2 (4) Any code of conduct promulgated by any department,
3 division or agency of state government, or by state institutions
4 of higher education, or by executive order;

5 (5) The conflict of interest laws contained in sections
6 105.450 to 105.468 and section 171.181, RSMo; and

7 (6) The provisions of the constitution or state statute or
8 order, ordinance or resolution of any political subdivision
9 relating to the official conduct of officials or employees of the
10 state and political subdivisions.

11 2. Complaints filed with the commission shall be in writing
12 and filed only by a natural person. The complaint shall contain
13 all facts known by the complainant that have given rise to the
14 complaint and the complaint shall be sworn to, under penalty of
15 perjury, by the complainant. No complaint shall be investigated
16 unless the complaint alleges facts which, if true, fall within
17 the jurisdiction of the commission. Within five days after
18 receipt of a complaint by the commission, a copy of the
19 complaint, including the name of the complainant, shall be
20 delivered to the alleged violator.

21 3. No complaint shall be investigated which concerns
22 alleged criminal conduct which allegedly occurred previous to the
23 period of time allowed by law for criminal prosecution for such
24 conduct. The commission may refuse to investigate any conduct
25 which is the subject of civil or criminal litigation. The
26 commission, its executive director or an investigator shall not
27 investigate any complaint concerning conduct which is not
28 criminal in nature which occurred more than two years prior to

1 the date of the complaint. A complaint alleging misconduct on
2 the part of a candidate for public office, other than those
3 alleging failure to file the appropriate financial interest
4 statements or campaign finance disclosure reports, shall not be
5 accepted by the commission within sixty days prior to the primary
6 election at which such candidate is running for office, and until
7 after the general election.

8 4. If the commission finds that any complaint is frivolous
9 in nature or finds no probable cause to believe that there has
10 been a violation, the commission shall dismiss the case. For
11 purposes of this subsection, "frivolous" shall mean a complaint
12 clearly lacking any basis in fact or law. Any person who submits
13 a frivolous complaint shall be liable for actual and compensatory
14 damages to the alleged violator for holding the alleged violator
15 before the public in a false light. If the commission finds that
16 a complaint is frivolous or that there is not probable cause to
17 believe there has been a violation, the commission shall issue a
18 public report to the complainant and the alleged violator stating
19 with particularity its reasons for dismissal of the complaint.
20 Upon such issuance, the complaint and all materials relating to
21 the complaint shall be a public record as defined in chapter 610,
22 RSMo.

23 5. Complaints which allege violations as described in this
24 section which are filed with the commission shall be handled as
25 provided by section 105.961.

26 105.959. 1. The executive director of the commission,
27 under the supervision of the commission, shall review reports and
28 statements filed with the commission or other appropriate

1 officers pursuant to sections 105.470, 105.483 to 105.492, and
2 chapter 130, RSMo, for completeness, accuracy and timeliness of
3 filing of the reports or statements, and upon review, if there
4 are reasonable grounds to believe that a violation has occurred,
5 shall conduct an audit of such reports and statements. All
6 investigations by the executive director of an alleged violation
7 shall be strictly confidential with the exception of notification
8 of the commission and the complainant or the person under
9 investigation. All investigations by the executive director
10 shall be limited to the information contained in the reports or
11 statements. The commission shall notify the complainant or the
12 person under investigation, by registered mail, within five days
13 of the decision to conduct such investigation. Revealing any
14 such confidential investigation information shall be cause for
15 removal or dismissal of the executive director or a commission
16 member or employee.

17 2. Upon findings of the appropriate filing officer which
18 are reported to the commission in accordance with the provisions
19 of section 130.056, RSMo, the executive director shall audit
20 disclosure reports, statements and records pertaining to such
21 findings within a reasonable time after receipt of the reports
22 from the appropriate filing officer.

23 3. Upon a sworn written complaint of any natural person
24 filed with the commission pursuant to section 105.957, the
25 commission shall audit and investigate alleged violations.
26 Within sixty days after receipt of a sworn written complaint
27 alleging a violation, the executive director shall notify the
28 complainant in writing of the action, if any, the executive

1 director has taken and plans to take on the complaint. If an
2 investigation conducted pursuant to this subsection fails to
3 establish reasonable grounds to believe that a violation has
4 occurred, the investigation shall be terminated and the
5 complainant and the person who had been under investigation shall
6 be notified of the reasons for the disposition of the complaint.

7 4. The commission may make such investigations and
8 inspections within or outside of this state as are necessary to
9 determine compliance.

10 5. If, during an audit or investigation, the commission
11 determines that a formal investigation is necessary, the
12 commission shall assign the investigation to a special
13 investigator in the manner provided by subsection 1 of section
14 105.961.

15 6. After completion of an audit or investigation, the
16 executive director shall provide a detailed report of such audit
17 or investigation to the commission. Upon determination that
18 there are reasonable grounds to believe that a person has
19 violated the requirements of sections 105.470, 105.483 to
20 105.492, or chapter 130, RSMo, by a vote of four members of the
21 commission, the commission may refer the report with the
22 recommendations of the commission to the appropriate prosecuting
23 authority together with a copy of the audit and the details of
24 the investigation by the commission as is provided in subsection
25 2 of section 105.961.

26 105.963. 1. The executive director shall assess every
27 [candidate for state or local office] committee, as defined in
28 section 130.011, RSMo, failing to file with a filing officer

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

17 2. (1) Any candidate for state or local office who fails
18 to file a campaign disclosure report required pursuant to
19 subdivision (1) of subsection 1 of section 130.046, RSMo, other
20 than a report required to be filed with a local election
21 authority as provided by section 130.026, RSMo, shall be assessed
22 by the executive director a late filing fee of one hundred
23 dollars for each day that the report is not filed, until the
24 first day after the date of the election. After such election
25 date, the amount of such late filing fee shall accrue at the rate
26 of ten dollars per day that such report remains unfiled, except
27 as provided in subdivision (2) of this subsection.

28 (2) The executive director shall mail a notice, by

1 certified mail or other means to give actual notice, to any
2 candidate [and candidate committee treasurer and deputy
3 treasurer] who fails to file the report described in subdivision
4 (1) of this subsection informing such person of such failure and
5 the fees provided by this section. If the candidate persists in
6 such failure for a period in excess of thirty days beyond receipt
7 of such notice, the amount of the late filing fee shall increase
8 to one hundred dollars for each day that the report is not filed,
9 provided that the total amount of such fees assessed pursuant to
10 this subsection per report shall not exceed six thousand dollars.

11 3. The executive director shall assess every person
12 required to file a financial interest statement pursuant to
13 sections 105.483 to 105.492 failing to file such a financial
14 interest statement with the commission a late filing fee of ten
15 dollars for each day after such statement is due to the
16 commission. The executive director shall mail a notice, by
17 certified mail, to any person who fails to file such statement
18 informing the individual required to file of such failure and the
19 fees provided by this section. If the person persists in such
20 failure for a period in excess of thirty days beyond receipt of
21 such notice, the amount of the late filing fee shall increase to
22 one hundred dollars for each day thereafter that the statement is
23 late, provided that the total amount of such fees assessed
24 pursuant to this subsection per statement shall not exceed six
25 thousand dollars.

26 4. Any person assessed a late filing fee may seek review of
27 such assessment or the amount of late filing fees assessed, at
28 the person's option, by filing a petition within fourteen days

1 after receiving actual notice of assessment with the
2 administrative hearing commission, or without exhausting the
3 person's administrative remedies may seek review of such issues
4 with the circuit court of Cole County.

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

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

19 7. If any candidate fails to file a campaign disclosure
20 report in a timely manner and that candidate is assessed a late
21 filing fee, the candidate, candidate committee treasurer or
22 assistant treasurer may file an appeal of the assessment of the
23 late filing fee with the commission. The commission may forgive
24 the assessment of the late filing fee upon a showing of good
25 cause. Such appeal shall be filed within ten days of the receipt
26 of notice of the assessment of the late filing fee.

27 115.342. 1. Any person who files as a candidate for
28 election to a public office shall be disqualified from

1 participation in the election for which the candidate has filed
2 if such person is delinquent in the payment of any state income
3 taxes, personal property taxes, real property taxes on the place
4 of residence, as stated on the declaration of candidacy, or if
5 the person is a past or present corporate officer of any fee
6 office that owes any taxes to the state.

7 2. Each potential candidate for election to a public office
8 shall file an affidavit with the department of revenue and
9 include a copy of the affidavit with the declaration of candidacy
10 required under section 115.349, RSMo. Such affidavit shall be in
11 substantially the following form:

12 "AFFIRMATION OF TAX PAYMENTS:

13 I hereby declare under penalties of perjury that I am not
14 currently aware of any delinquency in the filing or payment of
15 any state income taxes, personal property taxes, real property
16 taxes on the place of residence, as stated on the declaration of
17 candidacy, or that I am a past or present corporate officer of
18 any fee office that owes any taxes to the state, other than those
19 taxes which may be in dispute.

20 Candidate's Signature

21 Printed Name of Candidate."

22 3. Upon receipt of a complaint alleging a delinquency of
23 the candidate in the filing or payment of any state income taxes,
24 personal property taxes, real property taxes on the place of
25 residence, as stated on the declaration of candidacy, or if the
26 person is a past or present corporate officer of any fee office
27 that owes any taxes to the state, the department of revenue shall
28 investigate such potential candidate to verify the claim

1 contained in the complaint. If the department of revenue finds a
2 positive affirmation to be false, the department shall contact
3 the secretary of state, or the election official who accepted
4 such candidate's declaration of candidacy, and the potential
5 candidate. The department shall notify the candidate of the
6 outstanding tax owed and give the candidate thirty days to remit
7 any such outstanding taxes owed which are not the subject of
8 dispute between the department and the candidate. If the
9 candidate fails to remit such amounts in full within thirty days,
10 the candidate shall be disqualified from participating in the
11 current election and barred from refiling for an entire election
12 cycle even if the individual pays all of the outstanding taxes
13 that were the subject of the complaint.

14 115.350. No person shall qualify as a candidate for
15 elective public office in the state of Missouri who has been
16 convicted of or found guilty of or pled guilty to a felony under
17 the laws of this state.

18 130.011. As used in this chapter, unless the context
19 clearly indicates otherwise, the following terms mean:

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

23 (2) "Ballot measure" or "measure", any proposal submitted
24 or intended to be submitted to qualified voters for their
25 approval or rejection, including any proposal submitted by
26 initiative petition, referendum petition, or by the general
27 assembly or any local governmental body having authority to refer
28 proposals to the voter;

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

15 (a) Receives contributions or makes expenditures or
16 reserves space or facilities with intent to promote the person's
17 candidacy for office; or

18 (b) Knows or has reason to know that contributions are
19 being received or expenditures are being made or space or
20 facilities are being reserved with the intent to promote the
21 person's candidacy for office; except that, such individual shall
22 not be deemed a candidate if the person files a statement with
23 the appropriate officer within five days after learning of the
24 receipt of contributions, the making of expenditures, or the
25 reservation of space or facilities disavowing the candidacy and
26 stating that the person will not accept nomination or take office
27 if elected; provided that, if the election at which such
28 individual is supported as a candidate is to take place within

1 five days after the person's learning of the above-specified
2 activities, the individual shall file the statement disavowing
3 the candidacy within one day; or

4 (c) Announces or files a declaration of candidacy for
5 office;

6 (4) "Cash", currency, coin, United States postage stamps,
7 or any negotiable instrument which can be transferred from one
8 person to another person without the signature or endorsement of
9 the transferor;

10 (5) "Check", a check drawn on a state or federal bank, or a
11 draft on a negotiable order of withdrawal account in a savings
12 and loan association or a share draft account in a credit union;

13 (6) "Closing date", the date through which a statement or
14 report is required to be complete;

15 (7) "Committee", a person or any combination of persons,
16 who accepts contributions or makes expenditures for the primary
17 or incidental purpose of influencing or attempting to influence
18 the action of voters for or against the nomination or election to
19 public office of one or more candidates or the qualification,
20 passage or defeat of any ballot measure or for the purpose of
21 paying a previously incurred campaign debt or obligation of a
22 candidate or the debts or obligations of a committee or for the
23 purpose of contributing funds to another committee:

24 (a) "Committee", does not include:

25 a. A person or combination of persons, if neither the
26 aggregate of expenditures made nor the aggregate of contributions
27 received during a calendar year exceeds five hundred dollars and
28 if no single contributor has contributed more than two hundred

1 fifty dollars of such aggregate contributions;

2 b. An individual, other than a candidate, who accepts no
3 contributions and who deals only with the individual's own funds
4 or property;

5 c. A corporation, cooperative association, partnership,
6 proprietorship, or joint venture organized or operated for a
7 primary or principal purpose other than that of influencing or
8 attempting to influence the action of voters for or against the
9 nomination or election to public office of one or more candidates
10 or the qualification, passage or defeat of any ballot measure,
11 and it accepts no contributions, and all expenditures it makes
12 are from its own funds or property obtained in the usual course
13 of business or in any commercial or other transaction and which
14 are not contributions as defined by subdivision (12) of this
15 section;

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

27 e. A person who acts as an authorized agent for a committee
28 in soliciting or receiving contributions or in making

1 expenditures or incurring indebtedness on behalf of the committee
2 if such person renders to the committee treasurer or deputy
3 treasurer or candidate, if applicable, an accurate account of
4 each receipt or other transaction in the detail required by the
5 treasurer to comply with all record keeping and reporting
6 requirements of this chapter;

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

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

13 (8) "Campaign committee", a committee, other than a
14 candidate committee, which shall be formed by an individual or
15 group of individuals to receive contributions or make
16 expenditures and whose sole purpose is to support or oppose the
17 qualification and passage of one or more particular ballot
18 measures in an election or the retention of judges under the
19 nonpartisan court plan, such committee shall be formed no later
20 than thirty days prior to the election for which the committee
21 receives contributions or makes expenditures, and which shall
22 terminate the later of either thirty days after the general
23 election or upon the satisfaction of all committee debt after the
24 general election, except that no committee retiring debt shall
25 engage in any other activities in support of a measure for which
26 the committee was formed;

27 (9) "Candidate committee", a committee which shall be
28 formed by a candidate to receive contributions or make

1 expenditures in behalf of the person's candidacy and which shall
2 continue in existence for use by an elected candidate or which
3 shall terminate the later of either thirty days after the general
4 election for a candidate who was not elected or upon the
5 satisfaction of all committee debt after the election, except
6 that no committee retiring debt shall engage in any other
7 activities in support of the candidate for which the committee
8 was formed. Any candidate for elective office shall have only
9 one candidate committee for the elective office sought, which is
10 controlled directly by the candidate for the purpose of making
11 expenditures. A candidate committee is presumed to be under the
12 control and direction of the candidate unless the candidate files
13 an affidavit with the appropriate officer stating that the
14 committee is acting without control or direction on the
15 candidate's part;

16 (10) "Continuing committee", a committee of continuing
17 existence which is not formed, controlled or directed by a
18 candidate, and is a committee other than a candidate committee or
19 campaign committee, whose primary or incidental purpose is to
20 receive contributions or make expenditures to influence or
21 attempt to influence the action of voters whether or not a
22 particular candidate or candidates or a particular ballot measure
23 or measures to be supported or opposed has been determined at the
24 time the committee is required to file any statement or report
25 pursuant to the provisions of this chapter. "Continuing
26 committee" includes, but is not limited to, any committee
27 organized or sponsored by a business entity, a labor
28 organization, a professional association, a trade or business

1 association, a club or other organization and whose primary
2 purpose is to solicit, accept and use contributions from the
3 members, employees or stockholders of such entity and any
4 individual or group of individuals who accept and use
5 contributions to influence or attempt to influence the action of
6 voters. Such committee shall be formed no later than [thirty]
7 sixty days prior to the election for which the committee receives
8 contributions or makes expenditures;

9 (11) "Connected organization", any organization such as a
10 corporation, a labor organization, a membership organization, a
11 cooperative, or trade or professional association which expends
12 funds or provides services or facilities to establish, administer
13 or maintain a committee or to solicit contributions to a
14 committee from its members, officers, directors, employees or
15 security holders. An organization shall be deemed to be the
16 connected organization if more than fifty percent of the persons
17 making contributions to the committee during the current calendar
18 year are members, officers, directors, employees or security
19 holders of such organization or their spouses;

20 (12) "Contribution", a payment, gift, loan, advance,
21 deposit, or donation of money or anything of value for the
22 purpose of supporting or opposing the nomination or election of
23 any candidate for public office or the qualification, passage or
24 defeat of any ballot measure, or for the support of any committee
25 supporting or opposing candidates or ballot measures or for
26 paying debts or obligations of any candidate or committee
27 previously incurred for the above purposes. A contribution of
28 anything of value shall be deemed to have a money value

1 equivalent to the fair market value. "Contribution" includes,
2 but is not limited to:

3 (a) A candidate's own money or property used in support of
4 the person's candidacy other than expense of the candidate's
5 food, lodging, travel, and payment of any fee necessary to the
6 filing for public office;

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

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

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

16 (e) Any loan, guarantee of a loan, cancellation or
17 forgiveness of a loan or debt or other obligation by a third
18 party, or payment of a loan or debt or other obligation by a
19 third party if the loan or debt or other obligation was
20 contracted, used, or intended, in whole or in part, for use in an
21 election campaign or used or intended for the payment of such
22 debts or obligations of a candidate or committee previously
23 incurred, or which was made or received by a committee;

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

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

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

12 (i) "Contribution" does not include:

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

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

23 c. Interest earned on deposit of committee funds;

24 d. The costs incurred by any connected organization listed
25 pursuant to subdivision (4) of subsection 5 of section 130.021
26 for establishing, administering or maintaining a committee, or
27 for the solicitation of contributions to a committee which
28 solicitation is solely directed or related to the members,

1 officers, directors, employees or security holders of the
2 connected organization;

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

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

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

17 (16) "Expenditure", a payment, advance, conveyance,
18 deposit, donation or contribution of money or anything of value
19 for the purpose of supporting or opposing the nomination or
20 election of any candidate for public office or the qualification
21 or passage of any ballot measure or for the support of any
22 committee which in turn supports or opposes any candidate or
23 ballot measure or for the purpose of paying a previously incurred
24 campaign debt or obligation of a candidate or the debts or
25 obligations of a committee; a payment, or an agreement or promise
26 to pay, money or anything of value, including a candidate's own
27 money or property, for the purchase of goods, services, property,
28 facilities or anything of value for the purpose of supporting or

1 opposing the nomination or election of any candidate for public
2 office or the qualification or passage of any ballot measure or
3 for the support of any committee which in turn supports or
4 opposes any candidate or ballot measure or for the purpose of
5 paying a previously incurred campaign debt or obligation of a
6 candidate or the debts or obligations of a committee. An
7 expenditure of anything of value shall be deemed to have a money
8 value equivalent to the fair market value. "Expenditure"
9 includes, but is not limited to:

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

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

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

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

24 (e) "Expenditure" does not include:

25 a. Any news story, commentary or editorial which is
26 broadcast or published by any broadcasting station, newspaper,
27 magazine or other periodical without charge to the candidate or
28 to any person supporting or opposing a candidate or ballot

1 measure;

2 b. The internal dissemination by any membership
3 organization, proprietorship, labor organization, corporation,
4 association or other entity of information advocating the
5 election or defeat of a candidate or candidates or the passage or
6 defeat of a ballot measure or measures to its directors,
7 officers, members, employees or security holders, provided that
8 the cost incurred is reported pursuant to subsection 2 of section
9 130.051;

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

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

18 e. The costs incurred by any connected organization listed
19 pursuant to subdivision (4) of subsection 5 of section 130.021
20 for establishing, administering or maintaining a committee, or
21 for the solicitation of contributions to a committee which
22 solicitation is solely directed or related to the members,
23 officers, directors, employees or security holders of the
24 connected organization;

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

1 (17) "Exploratory committees", a committee which shall be
2 formed by an individual to receive contributions and make
3 expenditures on behalf of this individual in determining whether
4 or not the individual seeks elective office.

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

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

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

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

22 (21) "Loan", a transfer of money, property or anything of
23 ascertainable monetary value in exchange for an obligation,
24 conditional or not, to repay in whole or in part and which was
25 contracted, used, or intended for use in an election campaign, or
26 which was made or received by a committee or which was
27 contracted, used, or intended to pay previously incurred campaign
28 debts or obligations of a candidate or the debts or obligations

1 of a committee;

2 (22) "Person", an individual, group of individuals,
3 corporation, partnership, committee, proprietorship, joint
4 venture, any department, agency, board, institution or other
5 entity of the state or any of its political subdivisions, union,
6 labor organization, trade or professional or business
7 association, association, political party or any executive
8 committee thereof, or any other club or organization however
9 constituted or any officer or employee of such entity acting in
10 the person's official capacity;

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

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

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

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

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

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

11 130.016. 1. No candidate for statewide elected office,
12 general assembly, or municipal office in a city with a population
13 of more than one hundred thousand shall be required to comply
14 with the requirements to file a statement of organization or
15 disclosure reports of contributions and expenditures for any
16 election in which neither the aggregate of contributions received
17 nor the aggregate of expenditures made on behalf of such
18 candidate exceeds five hundred dollars and no single contributor,
19 other than the candidate, has contributed more than the amount of
20 the limitation on contributions to elect an individual to the
21 office of state representative as calculated in subsection 2 of
22 section 130.032, provided that:

23 (1) The candidate files a sworn exemption statement with
24 the appropriate officer that the candidate does not intend to
25 either receive contributions or make expenditures in the
26 aggregate of more than five hundred dollars or receive
27 contributions from any single contributor, other than the
28 candidate, that aggregate more than the amount of the limitation

1 on contributions to elect an individual to the office of state
2 representative as calculated in subsection 2 of section 130.032,
3 and that the total of all contributions received or expenditures
4 made by the candidate and all committees or any other person with
5 the candidate's knowledge and consent in support of the candidacy
6 will not exceed five hundred dollars and that the aggregate of
7 contributions received from any single contributor will not
8 exceed the amount of the limitation on contributions to elect an
9 individual to the office of state representative as calculated in
10 subsection 2 of section 130.032. Such exemption statement shall
11 be filed no later than the date set forth in section 130.046 on
12 which a disclosure report would otherwise be required if the
13 candidate does not file the exemption statement. The exemption
14 statement shall be filed on a form furnished to each appropriate
15 officer by the executive director of the Missouri ethics
16 commission. Each appropriate officer shall make the exemption
17 statement available to candidates and shall direct each
18 candidate's attention to the exemption statement and explain its
19 purpose to the candidate; and

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

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

13 3. If, after filing the exemption statement provided for in
14 this section, the candidate subsequently determines the candidate
15 wishes to exceed any of the limits in subdivision (1) of
16 subsection 1 of this section, the candidate shall file a notice
17 of rejection of the exemption with the appropriate officer;
18 however, such rejection shall not be filed later than thirty days
19 before election. A notice of rejection of exemption shall be
20 accompanied by a statement of organization as required by section
21 130.021 and any other statements and reports which would have
22 been required if the candidate had not filed an exemption
23 statement.

24 4. A primary election and the immediately succeeding
25 general election are separate elections, and restrictions on
26 contributions and expenditures set forth in subsection 2 of this
27 section shall apply to each election; however, if a successful
28 primary candidate has correctly filed an exemption statement

1 prior to the primary election and has not filed a notice of
2 rejection prior to the date on which the first disclosure report
3 applicable to the succeeding general election is required to be
4 filed, the candidate shall not be required to file an exemption
5 statement for that general election if the limitations set forth
6 in subsection 1 of this section apply to the succeeding general
7 election.

8 5. A candidate who has an existing candidate committee
9 formed for a prior election for which all statements and reports
10 required by this chapter have been properly filed shall be
11 eligible to file the exemption statement as provided in
12 subsection 1 of this section and shall not be required to file
13 the disclosure reports pertaining to the election for which the
14 candidate is eligible to file the exemption statement if the
15 candidate and the treasurer or deputy treasurer of such existing
16 candidate committee continue to comply with the requirements,
17 limitations and restrictions set forth in subsections 1, 2, 3 and
18 4 of this section. The exemption permitted by this subsection
19 does not exempt a candidate or the treasurer of the candidate's
20 existing candidate committee from complying with the requirements
21 of subsections 6 and 7 of section 130.046 applicable to a prior
22 election.

23 6. No candidate for supreme court, circuit court, or
24 associate circuit court, or candidate for political party office,
25 or for county office or municipal office in a city of one hundred
26 thousand or less, or for any special purpose district office
27 shall be required to file an exemption statement pursuant to this
28 section in order to be exempted from forming a committee and

1 filing disclosure reports required of committees pursuant to this
2 chapter if the aggregate of contributions received or
3 expenditures made by the candidate and any other person with the
4 candidate's knowledge and consent in support of the person's
5 candidacy does not exceed one thousand dollars and the aggregate
6 of contributions from any single contributor does not exceed the
7 amount of the limitation on contributions to elect an individual
8 to the office of state representative as calculated in subsection
9 2 of section 130.032. No candidate for any office listed in this
10 subsection shall be excused from complying with the provisions of
11 any section of this chapter, other than the filing of an
12 exemption statement under the conditions specified in this
13 subsection.

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

20 8. No member of or candidate for the general assembly shall
21 form a candidate committee for the office of speaker of the house
22 of representatives or president pro tem of the senate.

23 130.032. 1. [In addition to the limitations imposed
24 pursuant to section 130.031, the amount of contributions made by
25 or accepted from any person other than the candidate in any one
26 election shall not exceed the following:

27 (1) To elect an individual to the office of governor,
28 lieutenant governor, secretary of state, state treasurer, state

1 auditor or attorney general, one thousand dollars;

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

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

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

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

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

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

26 3. Candidate committees, exploratory committees, campaign
27 committees and continuing committees, other than those continuing
28 committees which are political party committees, shall be subject

1 to the limits prescribed in subsection 1 of this section. The
2 provisions of this subsection shall not limit the amount of
3 contributions which may be accumulated by a candidate committee
4 and used for expenditures to further the nomination or election
5 of the candidate who controls such candidate committee, except as
6 provided in section 130.052.

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

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

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

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

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

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

26 5. Contributions from persons under fourteen years of age
27 shall be considered made by the parents or guardians of such

1 person and shall be attributed toward any contribution limits
2 prescribed in this chapter. Where the contributor under fourteen
3 years of age has two custodial parents or guardians, fifty
4 percent of the contribution shall be attributed to each parent or
5 guardian, and where such contributor has one custodial parent or
6 guardian, all such contributions shall be attributed to the
7 custodial parent or guardian.

8 6. Contributions received and expenditures made prior to
9 January 1, 1995, shall be reported as a separate account and
10 pursuant to the laws in effect at the time such contributions are
11 received or expenditures made. Contributions received and
12 expenditures made after January 1, 1995, shall be reported as a
13 separate account from the aforementioned account and pursuant to
14 the provisions of this chapter. The account reported pursuant to
15 the prior law shall be retained as a separate account and any
16 remaining funds in such account may be used pursuant to this
17 chapter and section 130.034.

18 7. Any committee which accepts or gives contributions other
19 than those allowed shall be subject to a surcharge of one
20 thousand dollars plus an amount equal to the contribution per
21 nonallowable contribution, to be paid to the ethics commission
22 and which shall be transferred to the director of revenue, upon
23 notification of such nonallowable contribution by the ethics
24 commission, and after the candidate has had ten business days
25 after receipt of notice to return the contribution to the
26 contributor. The candidate and the candidate committee treasurer
27 or deputy treasurer owing a surcharge shall be personally liable
28 for the payment of the surcharge or may pay such surcharge only

1 from campaign funds existing on the date of the receipt of
2 notice. Such surcharge shall constitute a debt to the state
3 enforceable under, but not limited to, the provisions of chapter
4 143, RSMo.] Monetary contributions shall not be made from any
5 political party committee as defined in subdivision (25) of
6 section 130.011 to any candidate committee, continuing committee,
7 or political party committee. Nothing in this section shall be
8 construed to limit any candidate committee from making
9 contributions to any other committee.

10 2. Any candidate for the office of state representative,
11 the office of state senator, or a statewide elected office shall
12 not accept any contributions from the first Wednesday after the
13 first Monday in January through the first Friday after the second
14 Monday of May of each year at 6:00 p.m. Only candidates for
15 special election to the house of representatives, senate, or
16 statewide elected office may, during such time, accept
17 contributions from the date of the candidate's nomination by his
18 or her respective political party until thirty days after the
19 date of the election.

20 130.042. The Missouri ethics commission shall post on its
21 website in an easily accessible and conspicuous manner, a listing
22 organized by candidate showing all expenditures required to be
23 disclosed by sections 130.041 and 130.050, made in support of and
24 against each candidate, together with the date and amount of each
25 expenditure. The commission shall post each expenditure within
26 seven days of notification of the expenditure. The list
27 underlying each candidate shall be further organized into the
28 following two categories:

1 (1) Expenditures in support of the candidate; and

2 (2) Expenditures in opposition to the candidate.

3 130.046. 1. The disclosure reports required by section
4 130.041 for all committees shall be filed at the following times
5 and for the following periods:

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

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

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

23 Notwithstanding the provisions of this subsection, if any
24 committee accepts contributions or makes expenditures in support
25 of or in opposition to a ballot measure or a candidate, and the
26 report required by this subsection for the most recent calendar
27 quarter is filed prior to the fortieth day before the election on

1 the measure or candidate, the committee shall file an additional
2 disclosure report not later than the fortieth day before the
3 election for the period closing on the forty-fifth day before the
4 election.

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

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

28 (2) If the measure has qualified to be on the ballot in an

1 election and if a committee subject to the requirements of
2 subdivision (1) of this subsection is also required to file a
3 preelection disclosure report for such election any time within
4 thirty days after the date on which disclosure reports are
5 required to be filed in accordance with subdivision (1) of this
6 subsection, the treasurer of such committee shall not be required
7 to file the report required by subdivision (1) of this
8 subsection, but shall include in the committee's preelection
9 report all information which would otherwise have been required
10 by subdivision (1) of this subsection.

11 3. The candidate, if applicable, treasurer or deputy
12 treasurer of a committee shall file disclosure reports pursuant
13 to this section, except for any calendar quarter in which the
14 contributions received by the committee or the expenditures or
15 contributions made by the committee do not exceed five hundred
16 dollars. The reporting dates and periods covered for such
17 quarterly reports shall not be later than the fifteenth day of
18 January, April, July and October for periods closing on the
19 thirty-first day of December, the thirty-first day of March, the
20 thirtieth day of June and the thirtieth day of September. No
21 candidate, treasurer or deputy treasurer shall be required to
22 file the quarterly disclosure report required not later than the
23 fifteenth day of any January immediately following a November
24 election, provided that such candidate, treasurer or deputy
25 treasurer shall file the information required on such quarterly
26 report on the quarterly report to be filed not later than the
27 fifteenth day of April immediately following such November
28 election. Each report by such committee shall be cumulative from

1 the date of the last report. In the case of the continuing
2 committee's first report, the report shall be cumulative from the
3 date of the continuing committee's organization. Every
4 candidate, treasurer or deputy treasurer shall file, at a
5 minimum, the campaign disclosure reports covering the quarter
6 immediately preceding the date of the election and those required
7 by subdivisions (1) and (2) of subsection 1 of this section. A
8 continuing committee shall submit additional reports if it makes
9 aggregate expenditures, other than contributions to a committee,
10 of five hundred dollars or more, within the reporting period at
11 the following times for the following periods:

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

14 (2) Not later than ~~[forty-eight]~~ twenty-four hours after
15 aggregate expenditures of ~~[five]~~ two hundred fifty dollars or
16 more are made after the twelfth day before the election; and

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

19 4. The reports required to be filed no later than the
20 thirtieth day after an election and any subsequently required
21 report shall be cumulative so as to reflect the total receipts
22 and disbursements of the reporting committee for the entire
23 election campaign in question. The period covered by each
24 disclosure report shall begin on the day after the closing date
25 of the most recent disclosure report filed and end on the closing
26 date for the period covered. If the committee has not previously
27 filed a disclosure report, the period covered begins on the date
28 the committee was formed; except that in the case of a candidate

1 committee, the period covered begins on the date the candidate
2 became a candidate according to the definition of the term
3 candidate in section 130.011.

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

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

10 (a) If there are less than fifty days between a primary
11 election and the immediately succeeding general election, the
12 disclosure report required to be filed quarterly; provided that,
13 any other report required to be filed prior to the primary
14 election and all other reports required to be filed not later
15 than the eighth day before the general election are filed no
16 later than the final dates for filing such reports;

17 (b) If there are less than eighty-five days between a
18 primary election and the immediately succeeding general election,
19 the disclosure report required to be filed not later than the
20 thirtieth day after the primary election need not be filed;
21 provided that any report required to be filed prior to the
22 primary election and any other report required to be filed prior
23 to the general election are filed no later than the final dates
24 for filing such reports; and

25 (2) No disclosure report needs to be filed for any
26 reporting period if during that reporting period the committee
27 has neither received contributions aggregating more than five
28 hundred dollars nor made expenditure aggregating more than five

1 hundred dollars and has not received contributions aggregating
2 more than three hundred dollars from any single contributor and
3 if the committee's treasurer files a statement with the
4 appropriate officer that the committee has not exceeded the
5 identified thresholds in the reporting period. Any contributions
6 received or expenditures made which are not reported because this
7 statement is filed in lieu of a disclosure report shall be
8 included in the next disclosure report filed by the committee.
9 This statement shall not be filed in lieu of the report for two
10 or more consecutive disclosure periods if either the
11 contributions received or expenditures made in the aggregate
12 during those reporting periods exceed five hundred dollars. This
13 statement shall not be filed, in lieu of the report, later than
14 the thirtieth day after an election if that report would show a
15 deficit of more than one thousand dollars.

16 6. (1) If the disclosure report required to be filed by a
17 committee not later than the thirtieth day after an election
18 shows a deficit of unpaid loans and other outstanding obligations
19 in excess of five thousand dollars, semiannual supplemental
20 disclosure reports shall be filed with the appropriate officer
21 for each succeeding semiannual period until the deficit is
22 reported in a disclosure report as being reduced to five thousand
23 dollars or less; except that, a supplemental semiannual report
24 shall not be required for any semiannual period which includes
25 the closing date for the reporting period covered in any regular
26 disclosure report which the committee is required to file in
27 connection with an election. The reporting dates and periods
28 covered for semiannual reports shall be not later than the

1 fifteenth day of January and July for periods closing on the
2 thirty-first day of December and the thirtieth day of June;

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

9 7. In the case of a committee which disbands and is
10 required to file a termination statement pursuant to the
11 provisions of section 130.021 with the appropriate officer not
12 later than the tenth day after the committee was dissolved, the
13 candidate, committee treasurer or deputy treasurer shall attach
14 to the termination statement a complete disclosure report for the
15 period closing on the date of dissolution. A committee shall not
16 utilize the provisions of subsection 8 of section 130.021 or the
17 provisions of this subsection to circumvent or otherwise avoid
18 the reporting requirements of subsection 6 or 7 of this section.

19 8. Disclosure reports shall be filed with the appropriate
20 officer not later than 5:00 p.m. prevailing local time of the day
21 designated for the filing of the report and a report postmarked
22 not later than midnight of the day previous to the day designated
23 for filing the report shall be deemed to have been filed in a
24 timely manner. The appropriate officer may establish a policy
25 whereby disclosure reports may be filed by facsimile
26 transmission.

27 9. Each candidate for the office of state representative,
28 state senator, and for statewide elected office shall file all

1 disclosure reports described in section 130.041 electronically
2 with the Missouri ethics commission. The Missouri ethics
3 commission shall promulgate rules establishing the standard for
4 electronic filings with the commission and shall propose such
5 rules for the importation of files to the reporting program.

6 10. Any rule or portion of a rule, as that term is defined
7 in section 536.010, RSMo, that is created under the authority
8 delegated in this section shall become effective only if it
9 complies with and is subject to all of the provisions of chapter
10 536, RSMo, and, if applicable, section 536.028, RSMo. This
11 section and chapter 536, RSMo, are nonseverable and if any of the
12 powers vested with the general assembly pursuant to chapter 536,
13 RSMo, to review, to delay the effective date, or to disapprove
14 and annul a rule are subsequently held unconstitutional, then the
15 grant of rulemaking authority and any rule proposed or adopted
16 after August 28, 2006, shall be invalid and void.

17 130.050. 1. An out-of-state committee which, according to
18 the provisions of subsection 10 of section 130.021, is not
19 required to file a statement of organization and is not required
20 to file the full disclosure reports required by section 130.041
21 shall file reports with the Missouri ethics commission according
22 to the provisions of this subsection if the committee makes
23 contributions or expenditures in support of or in opposition to
24 candidates or ballot measures in this state in any election
25 covered by this chapter or makes contributions to any committee
26 domiciled in this state. An initial report shall be filed on or
27 within fourteen days prior to the date such out-of-state
28 committee first makes a contribution or expenditure in this

1 state, and thereafter reports shall be filed at the times and for
2 the reporting periods prescribed in subsection 1 of section
3 130.046. Each report shall contain:

4 (1) The full name, address and domicile of the committee
5 making the report and the name, residential and business
6 addresses, domicile and telephone numbers of the committee's
7 treasurer;

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

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

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

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

1 reports, if any;

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

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

9 2. In the case of a political party committee's selection
10 of an individual to be the party's nominee for public office in
11 an election covered by this chapter, any individual who seeks
12 such nomination and who is a candidate according to the
13 definition of the term candidate in section 130.011 shall be
14 required to comply with all requirements of this chapter; except
15 that, for the purposes of this subsection, the reporting dates
16 and reporting periods in section 130.046 shall not apply, and the
17 first reporting date shall be no later than the fifteenth day
18 after the date on which a nomination covered by this subsection
19 was made and for the period beginning on the date the individual
20 became a candidate, as the term candidate is defined in section
21 130.011, and closing on the tenth day after the date the
22 nomination was made, with subsequent reports being made as
23 closely as practicable to the times required in section 130.046.

24 3. The receipt of any late contribution or loan of more
25 than two hundred fifty dollars by a candidate committee
26 supporting a candidate for statewide office or by any other
27 committee shall be reported to the appropriate officer no later
28 than [forty-eight] twenty-four hours after receipt. For purposes

1 of this subsection the term "late contribution or loan" means a
2 contribution or loan received after the closing date of the last
3 disclosure report required to be filed before an election but
4 received prior to the date of the election itself. The
5 disclosure report of a late contribution may be made by any
6 written means of communication, setting forth the name and
7 address of the contributor or lender and the amount of the
8 contribution or loan and need not contain the signatures and
9 certification required for a full disclosure report described in
10 section 130.041. A late contribution or loan shall be included
11 in subsequent disclosure reports without regard to any special
12 reports filed pursuant to this subsection.

13 130.054. 1. Notwithstanding the provisions of subsection 3
14 of section 105.957, RSMo, any natural person may file a complaint
15 with the Missouri ethics commission alleging failure to timely or
16 accurately file a personal financial disclosure statement, a
17 campaign finance disclosure report or a violation of the
18 provisions of this chapter by any candidate for elective office,
19 within sixty days prior to the primary election at which such
20 candidate is running for office, until after the general
21 election. Any such complaint shall be in writing, shall state
22 all facts known by the complainant which have given rise to the
23 complaint, and shall be sworn to, under penalty of perjury, by
24 the complainant.

25 2. Within the first business day after receipt of a
26 complaint pursuant to this section, the executive director shall
27 supply a copy of the complaint to the person or entity named in
28 the complaint, deleting any material identifying the name of the

1 complainant. The executive director shall notify the complainant
2 and the person or entity named in the complaint of the date and
3 time at which the commission shall audit and investigate the
4 allegations contained in the complaint pursuant to subsection 3
5 of this section.

6 3. Within fifteen business days of receipt of a complaint
7 pursuant to this section, the commission shall audit and
8 investigate the allegations contained in the complaint and shall
9 determine by a vote of at least four members of the commission
10 that there are reasonable grounds to believe that a violation of
11 law has occurred within the jurisdiction of the commission. The
12 respondent may reply in writing or in person to the allegations
13 contained in the complaint and may state justifications to
14 dismiss the complaint. The complainant may also present evidence
15 in support of the allegations contained in the complaint, but
16 such evidence shall be limited in scope to the allegations
17 contained in the original complaint, and such complaint may not
18 be supplemented or otherwise enlarged in scope.

19 4. If, after audit and investigation of the complaint and
20 upon a vote of at least four members of the commission, the
21 commission determines that there are reasonable grounds to
22 believe that a violation of law has occurred within the
23 jurisdiction of the commission, the commission shall proceed with
24 such complaint as provided by sections 105.957 to 105.963, RSMo.
25 If the commission does not determine that there are reasonable
26 grounds to believe that such a violation of law has occurred, the
27 complaint shall be dismissed. If a complaint is dismissed, the
28 fact that such complaint was dismissed, with a statement of the

1 nature of the complaint, shall be made public within twenty-four
2 hours of the commission's action.

3 5. Any complaint made pursuant to this section, and all
4 proceedings and actions concerning such a complaint, shall be
5 subject to the provisions of subsection 15 of section 105.961,
6 RSMo.

7 6. No complaint shall be accepted by the commission within
8 fifteen days prior to the primary or general election at which
9 such candidate is running for office.

10 Section 1. The ethics commission shall study methods to
11 improve the regulation of persons and organizations that conduct
12 or utilize political telephone solicitations. The commission
13 shall issue a report containing recommendations to the general
14 assembly no later than January 1, 2007.

15 Section B. Section A of this act shall become effective
16 January 1, 2007.

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