

SECOND REGULAR SESSION

HOUSE BILL NO. 1965

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LeVOTA (Sponsor), GRILL, LAMPE, SCAVUZZO, OXFORD, ROORDA, DARROUGH, SCHIEFFER, BAKER (25), HARRIS (110) AND TALBOY (Co-sponsors).

Read 1st time February 4, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3469L.04I

AN ACT

To repeal section 130.032, RSMo, and section 130.032, as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, and to enact in lieu thereof one new section relating to campaign contributions.

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

Section A. Section 130.032, RSMo, and section 130.032, as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, are repealed and one new section enacted in lieu thereof, to be known as section 130.032, to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 guardian, and where such contributor has one custodial parent or guardian, all such contributions
48 shall be attributed to the custodial parent or guardian.

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

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

2 [130.032. 1. Monetary contributions shall not be made from any political
3 party committee as defined in subdivision (25) of section 130.011 to any
4 candidate committee, continuing committee, or political party committee.
5 Nothing in this section shall be construed to limit any candidate committee from
6 making contributions to any other committee.

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

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