

SECOND REGULAR SESSION

HOUSE BILL NO. 1324

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRINGER.

3536L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 105.456, RSMo, and to enact in lieu thereof one new section relating to lobbyist gifts.

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

Section A. Section 105.456, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 105.456, to read as follows:

105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

(3) Attempt, for compensation other than the compensation provided for the performance of his or her official duties, to influence the decision of any agency of the state on any matter, except that this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. The exception for a conference upon a public document shall not permit

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.

18 any member of the general assembly or the governor, lieutenant governor, attorney general,
19 secretary of state, state treasurer or state auditor to receive any consideration for the purpose of
20 attempting to influence the decision of any agency of the state on behalf of any person with
21 regard to any application, bid or request for a state grant, loan, appropriation, contract, award,
22 permit other than matters involving a driver's license, or job before any state agency,
23 commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or
24 any other court rule or law to the contrary, other members of a firm, professional corporation or
25 partnership shall not be prohibited pursuant to this subdivision from representing a person or
26 other entity solely because a member of the firm, professional corporation or partnership serves
27 in the general assembly, provided that such official does not share directly in the compensation
28 earned, so far as the same may reasonably be accounted, for such activity by the firm or by any
29 other member of the firm. This subdivision shall not be construed to prohibit any inquiry for
30 information or the representation of a person without consideration before a state agency or in
31 a matter involving the state if no consideration is given, charged or promised in consequence
32 thereof.

33 2. No sole proprietorship, partnership, joint venture, or corporation in which a member
34 of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state
35 treasurer, state auditor or spouse of such official, is the sole proprietor, a partner having more
36 than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of
37 the outstanding shares of any class of stock, shall:

38 (1) Perform any service for the state or any political subdivision thereof or any agency
39 of the state or political subdivision for any consideration in excess of five hundred dollars per
40 transaction or one thousand five hundred dollars per annum unless the transaction is made
41 pursuant to an award on a contract let or sale made after public notice and competitive bidding,
42 provided that the bid or offer accepted is the lowest received; or

43 (2) Sell, rent, or lease any property to the state or any political subdivision thereof or any
44 agency of the state or political subdivision thereof for consideration in excess of five hundred
45 dollars per transaction or one thousand five hundred dollars per annum unless the transaction is
46 made pursuant to an award on a contract let or a sale made after public notice and in the case of
47 property other than real property, competitive bidding, provided that the bid or offer accepted
48 is the lowest and best received.

49 **3. No member of the general assembly shall accept any tangible or intangible item,**
50 **service, or thing of value from any lobbyist, as defined in section 105.470.**

✓