

SECOND REGULAR SESSION

HOUSE BILL NO. 1500

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES TILLEY (Sponsor), PRATT, LOEHNER, HOSKINS (121), MOLENDORP, GUERNSEY, KRAUS, LARGENT, FLOOK, DIEHL, GUEST, WILSON (130), NOLTE, SMITH (150), COX, RIDDLE, BRANDOM, FAITH, GRISAMORE, COOPER, MUNZLINGER, NANCE, BROWN (149), CASEY, NASHEED, CARTER, ALLEN, McNARY, LAIR, DIECKHAUS, GATSCHENBERGER, SCHARNHORST, THOMSON, ICET, SCHOELLER, SELF, JONES (117), STREAM, KELLY, BURLISON, FLANIGAN AND SCHAD (Co-sponsors).

4206L.01H

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 105.450, 105.456, 105.461, 105.470, 105.473, 105.483, and 130.031, RSMo, and to enact in lieu thereof nine new sections relating to ethics.

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

Section A. Sections 105.450, 105.456, 105.461, 105.470, 105.473, 105.483, and
2 130.031, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as
3 sections 105.450, 105.456, 105.461, 105.463, 105.470, 105.473, 105.479, 105.483, and 130.031,
4 to read as follows:

105.450. As used in sections 105.450 to 105.496 and sections 105.955 to 105.963, unless
2 the context clearly requires otherwise, the following terms mean:

3 (1) "Adversary proceeding", any proceeding in which a record of the proceedings may
4 be kept and maintained as a public record at the request of either party by a court reporter, notary
5 public or other person authorized to keep such record by law or by any rule or regulation of the
6 agency conducting the hearing; or from which an appeal may be taken directly or indirectly, or
7 any proceeding from the decision of which any party must be granted, on request, a hearing de
8 novo; or any arbitration proceeding; or a proceeding of a personnel review board of a political
9 subdivision; or an investigative proceeding initiated by an official, department, division, or
10 agency which pertains to matters which, depending on the conclusion of the investigation, could

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 lead to a judicial or administrative proceeding being initiated against the party by the official,
12 department, division or agency;

13 (2) "Business entity", a corporation, association, firm, partnership, proprietorship, or
14 business entity of any kind or character;

15 (3) "Business with which a person is associated":

16 (a) Any sole proprietorship owned by himself or herself, the person's spouse or any
17 dependent child in the person's custody;

18 (b) Any partnership or joint venture in which the person or the person's spouse is a
19 partner, other than as a limited partner of a limited partnership, and any corporation or limited
20 partnership in which the person is an officer or director or of which either the person or the
21 person's spouse or dependent child in the person's custody whether singularly or collectively
22 owns in excess of ten percent of the outstanding shares of any class of stock or partnership units;
23 or

24 (c) Any trust in which the person is a trustee or settlor or in which the person or the
25 person's spouse or dependent child whether singularly or collectively is a beneficiary or holder
26 of a reversionary interest of ten percent or more of the corpus of the trust;

27 (4) "Commission", the Missouri ethics commission established in section 105.955;

28 (5) "Confidential information", all information whether transmitted orally or in writing
29 which is of such a nature that it is not, at that time, a matter of public record or public
30 knowledge;

31 (6) "Decision-making public servant", an official, appointee or employee of the offices
32 or entities delineated in paragraphs (a) through (h) of this subdivision who exercises supervisory
33 authority over the negotiation of contracts, or has the legal authority to adopt or vote on the
34 adoption of rules and regulations with the force of law or exercises primary supervisory
35 responsibility over purchasing decisions. The following officials or entities shall be responsible
36 for designating a decision-making public servant:

37 (a) The governing body of the political subdivision with a general operating budget in
38 excess of one million dollars;

39 (b) A department director;

40 (c) A judge vested with judicial power by article V of the Constitution of the state of
41 Missouri;

42 (d) Any commission empowered by interstate compact;

43 (e) A statewide elected official;

44 (f) The speaker of the house of representatives;

45 (g) The president pro tem of the senate;

46 (h) The president or chancellor of a state institution of higher education;

47 (7) "Dependent child" or "dependent child in the person's custody", all children,
48 stepchildren, foster children and wards under the age of eighteen residing in the person's
49 household and who receive in excess of fifty percent of their support from the person;

50 (8) **"Paid political consultant", a person who is paid to provide political consulting**
51 **services to promote the election of a certain candidate or the interest of a certain group,**
52 **including but not limited to, planning campaign strategies, coordinating campaign staff,**
53 **organizing meetings and public events to publicize the candidate or cause, public opinion**
54 **polling, providing research on issues or opposition background, coordinating, producing,**
55 **or purchasing print or broadcast media, direct mail production, phone solicitation, fund**
56 **raising, and any other political activities;**

57 (9) "Political subdivision" shall include any political subdivision of the state, and any
58 special district or subdistrict;

59 [(9)] (10) "Public document", a state tax return or a document or other record maintained
60 for public inspection without limitation on the right of access to it and a document filed in a
61 juvenile court proceeding;

62 [(10)] (11) "Substantial interest", ownership by the individual, the individual's spouse,
63 or the individual's dependent children, whether singularly or collectively, directly or indirectly,
64 of ten percent or more of any business entity, or of an interest having a value of ten thousand
65 dollars or more, or the receipt by an individual, the individual's spouse or the individual's
66 dependent children, whether singularly or collectively, of a salary, gratuity, or other
67 compensation or remuneration of five thousand dollars, or more, per year from any individual,
68 partnership, organization, or association within any calendar year;

69 [(11)] (12) "Substantial personal or private interest in any measure, bill, order or
70 ordinance", any interest in a measure, bill, order or ordinance which results from a substantial
71 interest in a business entity.

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

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

7 (2) Sell, rent or lease any property to the state or political subdivision thereof or any
8 agency of the state or any political subdivision thereof for consideration in excess of five hundred
9 dollars per transaction or one thousand five hundred dollars per annum unless the transaction is
10 made pursuant to an award on a contract let or sale made after public notice and in the case of

11 property other than real property, competitive bidding, provided that the bid or offer accepted
12 is the lowest received; or

13 (3) Attempt, for compensation other than the compensation provided for the performance
14 of his or her official duties, to influence the decision of any agency of the state on any matter,
15 except that this provision shall not be construed to prohibit such person from participating for
16 compensation in any adversary proceeding or in the preparation or filing of any public document
17 or conference thereon. The exception for a conference upon a public document shall not permit
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. Neither the governor nor any person acting on behalf of the governor shall make**
50 **any offer or promise to confer an appointment to any board, commission, committee,**
51 **council, county office, department directorship, fee office under section 136.055, judgeship,**
52 **or any other position, to any member of the general assembly in exchange for the member's**
53 **official vote on any public matter. Any person making such offer or promise is guilty of**
54 **the crime of bribery of a public servant under section 576.010.**

55 **4. Any member of the general assembly who accepts or agrees to accept an offer or**
56 **promise to confer an appointment to any board, commission, committee, council, county**
57 **office, department directorship, fee office under section 136.055, judgeship, or any other**
58 **position, from the governor or any person acting on behalf of the governor in exchange for**
59 **the member's official vote on any public matter, is guilty of the crime of acceding to**
60 **corruption under section 576.020.**

61 **5. No individual holding office as a state representative or state senator shall accept**
62 **or receive compensation of any kind as a paid political consultant for another individual**
63 **holding the office of state representative, state senator, governor, lieutenant governor,**
64 **attorney general, secretary of state, state treasurer, or state auditor, or for any campaign**
65 **committee, candidate committee, continuing committee, or political party committee as**
66 **defined in chapter 130, nor shall any spouse, dependent child, or parent accept or receive**
67 **compensation of any kind on behalf of any individual holding office as a state**
68 **representative or state senator who acts as a paid political consultant.**

69 **6. No member of the general assembly shall act, serve, or register as a legislative**
70 **lobbyist as defined in section 105.470 within one hundred eighty days after leaving office.**

105.461. 1. The governor, lieutenant governor, any member of the general assembly,
2 or any member of the governing body of a political subdivision who has a substantial personal
3 or private interest in any measure, bill, order or ordinance proposed or pending before the general
4 assembly or such governing body, shall, before such official passes on the measure, bill, order
5 or ordinance, file a written report of the nature of the interest with the chief clerk of the house
6 of representatives or the secretary of the senate or clerk of such governing body and such
7 statement shall be recorded in the appropriate journal or other record of proceedings of the
8 governing body. The governor shall make the governor's written report along with the governor's
9 approval or disapproval of any bill or act of the general assembly describing the nature of the
10 interest and such report shall be recorded in the journal of the house of representatives or of the
11 senate.

12 2. The governor, lieutenant governor, any member of the general assembly, or any
13 member of the governing body of a political subdivision shall be deemed to have complied with
14 the requirements of this section if such official has filed, at any time before the official passes
15 on such measure, bill, order or ordinance, a financial interest statement pursuant to sections
16 105.483 to 105.492 which discloses the basis for the official's substantial personal or private
17 interest or interests that the official may have therein. Any such person may amend the person's
18 financial interest statement to disclose any subsequently acquired substantial interest at any time
19 before the person passes on any measure, bill, order or ordinance, and shall be relieved of the
20 provisions of subsection 1 of this section.

21 **3. All members of the general assembly, the governor, lieutenant governor, attorney**
22 **general, secretary of state, state treasurer, and state auditor, and their staff and employees**
23 **shall file a written report of the nature of any paid political activity, including any paid**
24 **political consulting services, in which they or any business entity in which they or their**
25 **spouse, dependent child, or parent have any ownership interest have performed for any**
26 **campaign committee, candidate committee, continuing committee, or political party**
27 **committee as defined in chapter 130.**

105.463. 1. Before the speaker of the house of representatives or the president pro
2 **tempore of the senate appoints any nonmember person to any board, commission,**
3 **committee, or any other position, the speaker or the president pro tempore shall return any**
4 **monetary campaign contribution, as defined in chapter 130, that the appointee, the**
5 **appointee's spouse, or any business in which the appointee or the appointee's spouse holds**
6 **a substantial interest, has made to any campaign committee, candidate committee,**
7 **continuing committee, or political party committee of the speaker or the president pro**
8 **tempore within the four years immediately preceding the appointment.**

9 **2. Before the governor, lieutenant governor, treasurer, secretary of state, attorney**
10 **general, or auditor appoints any person to any board, commission, committee, council,**
11 **county office, department directorship, fee office under section 136.055, judgeship, or any**
12 **other position, such statewide office holder shall return any monetary campaign**
13 **contribution, as defined in chapter 130, that the appointee, the appointee's spouse, or any**
14 **business in which the appointee or the appointee's spouse holds a substantial interest, has**
15 **made to any candidate committee controlled by such statewide office holder, or political**
16 **party committee for any office sought by the governor, within the four years immediately**
17 **preceding the appointment.**

18 **3. For every appointment made by the governor, the governor shall publicly**
19 **disclose the name of the appointee, the amount of the contribution by that appointee to any**
20 **candidate committee, campaign committee, continuing committee, or political party**

21 **committee for the four years preceding the appointment, and the date the contribution was**
22 **made. The disclosure shall be included in the letter of transmittal to the senate announcing**
23 **the appointment and printed in the journal of the senate, and shall be accessible to the**
24 **public on the governor's and the senate's website.**

25 **4. The governor shall not appoint any member of the general assembly to any**
26 **board, commission, committee, council, county office, department directorship, fee office**
27 **under section 136.055, judgeship, or any other position, until the member has been out of**
28 **office for at least one hundred eighty days.**

105.470. As used in [section] **sections 105.456 and 105.473**, unless the context requires
2 otherwise, the following words and terms mean:

3 (1) "Elected local government official lobbyist", any natural person employed
4 specifically for the purpose of attempting to influence any action by a local government official
5 elected in a county, city, town, or village with an annual operating budget of over ten million
6 dollars;

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

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

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

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

17 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
18 beginning January first and ending December thirty-first for the benefit of one or more public
19 officials or one or more employees of the executive branch of state government in connection
20 with such activity. An "executive lobbyist" shall not include a member of the general assembly,
21 an elected state official, or any other person solely due to such person's participation in any of
22 the following activities:

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

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

- 29 c. Selling of goods or services to be paid for by public funds, provided that such person
30 is attempting to influence only the person authorized to authorize or enter into a contract to
31 purchase the goods or services being offered for sale;
- 32 d. Participating in public hearings or public proceedings on rules, grants, or other
33 matters;
- 34 e. Responding to any request for information made by any public official or employee
35 of the executive branch of government;
- 36 f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
37 television broadcast, or similar news medium, whether print or electronic;
- 38 g. Acting within the scope of employment by the general assembly, or acting within the
39 scope of employment by the executive branch of government when acting with respect to the
40 department, division, board, commission, agency or elected state officer by which such person
41 is employed, or with respect to any duty or authority imposed by law to perform any action in
42 conjunction with any other public official or state employee; or
- 43 h. Testifying as a witness before a state board, commission or agency of the executive
44 branch;
- 45 (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any
46 gift, honorarium or item of value bestowed including any food or beverage; any price, charge or
47 fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is
48 canceled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible
49 cost or fair market value from one person to another or provision of any service or granting of
50 any opportunity for which a charge is customarily made, without charge or for a reduced charge;
51 except that the term "expenditure" shall not include the following:
- 52 (a) Any item, service or thing of value transferred to any person within the third degree
53 of consanguinity of the transferor which is unrelated to any activity of the transferor as a
54 lobbyist;
- 55 (b) Informational material such as books, reports, pamphlets, calendars or periodicals
56 informing a public official regarding such person's official duties, [or] souvenirs or mementos
57 valued at less than ten dollars, **and any certificate or plaque in recognition of legislative**
58 **service;**
- 59 (c) **Monetary** contributions to the public official's campaign committee or candidate
60 committee which are reported pursuant to the provisions of chapter 130, RSMo;
- 61 (d) Any loan made or other credit accommodations granted or other payments made by
62 any person or entity which extends credit or makes loan accommodations or such payments in
63 the regular ordinary scope and course of business, provided that such are extended, made or

64 granted in the ordinary course of such person's or entity's business to persons who are not public
65 officials;

66 (e) Any item, service or thing of de minimis value offered to the general public, whether
67 or not the recipient is a public official or a staff member, employee, spouse or dependent child
68 of a public official, and only if the grant of the item, service or thing of de minimis value is not
69 motivated in any way by the recipient's status as a public official or staff member, employee,
70 spouse or dependent child of a public official;

71 (f) The transfer of any item, provision of any service or granting of any opportunity with
72 a reasonably discernible cost or fair market value when such item, service or opportunity is
73 necessary for a public official or employee to perform his or her duty in his or her official
74 capacity, including but not limited to entrance fees to any sporting event, museum, or other
75 venue when the official or employee is participating in a ceremony, public presentation or
76 official meeting therein;

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

81 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
82 influence any purchasing decision by the judicial branch of government or by any elected or
83 appointed official or any employee thereof and in connection with such activity, meets the
84 requirements of any one or more of the following:

85 (a) Is acting in the ordinary course of employment which primary purpose is to influence
86 the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such
87 person's employer, except that this shall not apply to any person who engages in lobbying on an
88 occasional basis only and not as a regular pattern of conduct; or

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

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

93 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
94 beginning January first and ending December thirty-first for the benefit of one or more public
95 officials or one or more employees of the judicial branch of state government in connection with
96 attempting to influence such purchasing decisions by the judiciary. A "judicial lobbyist" shall
97 not include a member of the general assembly, an elected state official, or any other person solely
98 due to such person's participation in any of the following activities:

- 99 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
100 proceeding, or contested case before a state court;
- 101 b. Participating in public hearings or public proceedings on rules, grants, or other
102 matters;
- 103 c. Responding to any request for information made by any judge or employee of the
104 judicial branch of government;
- 105 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,
106 magazine, radio or television broadcast, or similar news medium, whether print or electronic; or
- 107 e. Acting within the scope of employment by the general assembly, or acting within the
108 scope of employment by the executive branch of government when acting with respect to the
109 department, division, board, commission, agency or elected state officer by which such person
110 is employed, or with respect to any duty or authority imposed by law to perform any action in
111 conjunction with any other public official or state employee;
- 112 (5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to
113 influence the taking, passage, amendment, delay or defeat of any official action on any bill,
114 resolution, amendment, nomination, appointment, report or any other action or any other matter
115 pending or proposed in a legislative committee in either house of the general assembly, or in any
116 matter which may be the subject of action by the general assembly and in connection with such
117 activity, meets the requirements of any one or more of the following:
- 118 (a) Is acting in the ordinary course of employment, which primary purpose is to influence
119 legislation on a regular basis, on behalf of or for the benefit of such person's employer, except
120 that this shall not apply to any person who engages in lobbying on an occasional basis only and
121 not as a regular pattern of conduct; or
- 122 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
123 such activity; or
- 124 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
125 religious organization, nonprofit corporation, association or other entity; or
- 126 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
127 beginning January first and ending December thirty-first for the benefit of one or more public
128 officials or one or more employees of the legislative branch of state government in connection
129 with such activity. A "legislative lobbyist" shall include an attorney at law engaged in activities
130 on behalf of any person unless excluded by any of the following exceptions. A "legislative
131 lobbyist" shall not include any member of the general assembly, an elected state official, or any
132 other person solely due to such person's participation in any of the following activities:
- 133 a. Responding to any request for information made by any public official or employee
134 of the legislative branch of government;

- 135 b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
136 television broadcast, or similar news medium, whether print or electronic;
- 137 c. Acting within the scope of employment of the legislative branch of government when
138 acting with respect to the general assembly or any member thereof;
- 139 d. Testifying as a witness before the general assembly or any committee thereof;
- 140 (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist,
141 elected local government official lobbyist, or a legislative lobbyist;
- 142 (7) "Lobbyist principal", any person, business entity, governmental entity, religious
143 organization, nonprofit corporation or association who employs, contracts for pay or otherwise
144 compensates a lobbyist;
- 145 (8) "Public official", any member or member-elect of the general assembly, judge or
146 judicial officer, or any other person holding an elective office of state government or any agency
147 head, department director or division director of state government or any member of any state
148 board or commission and any designated decision-making public servant designated by persons
149 described in this subdivision.

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

14 2. Each person shall, before giving testimony before any committee of the general
15 assembly, give to the secretary of such committee such person's name and address and the
16 identity of any lobbyist or organization, if any, on whose behalf such person appears. A person
17 who is not a lobbyist as defined in section 105.470 shall not be required to give such person's
18 address if the committee determines that the giving of such address would endanger the person's
19 physical health.

20 3. (1) During any period of time in which a lobbyist continues to act as an executive
21 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the

22 lobbyist shall file with the commission on standardized forms prescribed by the commission
23 monthly reports which shall be due at the close of business on the tenth day of the following
24 month;

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

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

33 (b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on
34 behalf of all elected local government officials, their staffs and employees, and their spouses and
35 children. Such expenditures shall be separated into at least the following categories: printing
36 and publication expenses; media and other advertising expenses; travel; the time, venue, and
37 nature of any entertainment; honoraria; meals; food and beverages; and gifts;

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

43 (d) The total of all expenditures made by a lobbyist or lobbyist principal for [occasions]
44 **any meal provided**, and the identity of the group invited, the date, **location**, and description of
45 the [occasion] **meal** and the amount of the expenditure for each [occasion] **meal** when any of the
46 following are invited in writing **by the lobbyist**:

47 a. All members of the senate; **or**

48 b. All members of the house of representatives;

49 [c. All members of a joint committee of the general assembly or a standing committee
50 of either the house of representatives or senate; or

51 d. All members of a caucus of the majority party of the house of representatives, minority
52 party of the house of representatives, majority party of the senate, or minority party of the
53 senate;]

54 (e) Any expenditure made on behalf of a public official, an elected local government
55 official or such official's staff, employees, spouse or dependent children, if such expenditure is
56 solicited by such official, the official's staff, employees, or spouse or dependent children, from
57 the lobbyist or his or her lobbyist principals and the name of such person or persons, except any

58 expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization
59 or other association formed to provide for good in the order of benevolence;

60 (f) A statement detailing any direct business relationship or association or partnership
61 the lobbyist has with any public official or elected local government official. The reports
62 required by this subdivision shall cover the time periods since the filing of the last report or since
63 the lobbyist's employment or representation began, whichever is most recent.

64 4. No expenditure reported pursuant to this section shall include any amount expended
65 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to
66 this section shall be valued on the report at the actual amount of the payment made, or the
67 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the
68 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures
69 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of
70 such lobbyists. No expenditure shall be made on behalf of a state senator or state representative,
71 or such public official's staff, employees, spouse, or dependent children for travel or lodging
72 outside the state of Missouri unless such travel or lodging was approved prior to the date of the
73 expenditure by the administration and accounts committee of the house or the administration
74 committee of the senate.

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

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

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

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

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

92 10. Any public official or other person whose name appears in any lobbyist report filed
93 pursuant to this section who contests the accuracy of the portion of the report applicable to such

94 person may petition the commission for an audit of such report and shall state in writing in such
95 petition the specific disagreement with the contents of such report. The commission shall
96 investigate such allegations in the manner described in section 105.959. If the commission
97 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter
98 an order requiring filing of an amended or corrected report.

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

108 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose
109 behalf the lobbyist acted, shall provide a general description of the proposed legislation or action
110 by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or
111 opposed. This information shall be supplied to the commission on March fifteenth and May
112 thirtieth of each year.

113 13. The provisions of this section shall supersede any contradicting ordinances or charter
114 provisions.

**105.479. No member of the general assembly, statewide official, or any person
2 acting at the request of a member or statewide official or on the member's or statewide
3 official's behalf, shall accept or receive any expenditure from a lobbyist, as expenditure is
4 defined in subdivision (3) of section 105.470.**

105.483. Each of the following persons shall be required to file a financial interest
2 statement:

3 (1) Associate circuit judges, circuit court judges, judges of the courts of appeals and of
4 the supreme court, and candidates for any such office;

5 (2) Persons holding an elective office of the state, whether by election or appointment,
6 and candidates for such elective office, except those running for or serving as county committee
7 members for a political party pursuant to section 115.609, RSMo, or section 115.611, RSMo;

8 (3) The principal administrative or deputy officers or assistants serving the governor,
9 lieutenant governor, secretary of state, state treasurer, state auditor and attorney general, which
10 officers shall be designated by the respective elected state official;

11 (4) The members of each board or commission and the chief executive officer of each
12 public entity created pursuant to the constitution or interstate compact or agreement and the
13 members of each board of regents or curators and the chancellor or president of each state
14 institution of higher education;

15 (5) The director and each assistant deputy director and the general counsel and the chief
16 purchasing officer of each department, division and agency of state government;

17 (6) Any official or employee of the state authorized by law to promulgate rules and
18 regulations or authorized by law to vote on the adoption of rules and regulations;

19 (7) Any member of a board or commission created by interstate compact or agreement,
20 including the executive director and any Missouri resident who is a member of the bi-state
21 development agency created pursuant to sections 70.370 to 70.440, RSMo;

22 (8) Any board member of a metropolitan sewer district authorized under section 30(a)
23 of article VI of the state constitution;

24 (9) Any member of a commission appointed or operating pursuant to sections 64.650 to
25 64.950, RSMo, sections 67.650 to 67.658, RSMo, or sections 70.840 to 70.859, RSMo;

26 (10) The members, the chief executive officer and the chief purchasing officer of each
27 board or commission which enters into or approves contracts for the expenditure of state funds;

28 (11) Each elected official, candidate for elective office, the chief administrative officer,
29 the chief purchasing officer and the general counsel, if employed full time, of each political
30 subdivision with an annual operating budget in excess of one million dollars, and each official
31 or employee of a political subdivision who is authorized by the governing body of the political
32 subdivision to promulgate rules and regulations with the force of law or to vote on the adoption
33 of rules and regulations with the force of law; unless the political subdivision adopts an
34 ordinance, order or resolution pursuant to subsection 4 of section 105.485;

35 (12) Any person who is designated as a decision-making public servant by any of the
36 officials or entities listed in subdivision (6) of section 105.450;

37 **(13) All members of the general assembly and the staff and employees under their**
38 **direct supervision, the governor, lieutenant governor, secretary of state, state treasurer,**
39 **state auditor, and attorney general, and their staff and employees, and caucus staff.**

130.031. 1. No contribution of cash in an amount of more than one hundred dollars shall
2 be made by or accepted from any single contributor for any election by a continuing committee,
3 a campaign committee, a political party committee, an exploratory committee or a candidate
4 committee.

5 2. Except for expenditures from a petty cash fund which is established and maintained
6 by withdrawals of funds from the committee's depository account and with records maintained
7 pursuant to the record-keeping requirements of section 130.036 to account for expenditures made

8 from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall
9 be made by check drawn on the committee's depository and signed by the committee treasurer,
10 deputy treasurer or candidate. A single expenditure from a petty cash fund shall not exceed fifty
11 dollars, and the aggregate of all expenditures from a petty cash fund during a calendar year shall
12 not exceed the lesser of five thousand dollars or ten percent of all expenditures made by the
13 committee during that calendar year. A check made payable to "cash" shall not be made except
14 to replenish a petty cash fund.

15 3. No contribution shall be made or accepted and no expenditure shall be made or
16 incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or
17 through another person in such a manner as to conceal the identity of the actual source of the
18 contribution or the actual recipient and purpose of the expenditure. Any person who receives
19 contributions for a committee shall disclose to that committee's treasurer, deputy treasurer or
20 candidate the recipient's own name and address and the name and address of the actual source
21 of each contribution such person has received for that committee. Any person who makes
22 expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or
23 candidate such person's own name and address, the name and address of each person to whom
24 an expenditure has been made and the amount and purpose of the expenditures the person has
25 made for that committee.

26 4. No anonymous contribution of more than twenty-five dollars shall be made by any
27 person, and no anonymous contribution of more than twenty-five dollars shall be accepted by any
28 candidate or committee. If any anonymous contribution of more than twenty-five dollars is
29 received, it shall be returned immediately to the contributor, if the contributor's identity can be
30 ascertained, and if the contributor's identity cannot be ascertained, the candidate, committee
31 treasurer or deputy treasurer shall immediately transmit that portion of the contribution which
32 exceeds twenty-five dollars to the state treasurer and it shall escheat to the state.

33 5. The maximum aggregate amount of anonymous contributions which shall be accepted
34 in any calendar year by any committee shall be the greater of five hundred dollars or one percent
35 of the aggregate amount of all contributions received by that committee in the same calendar
36 year. If any anonymous contribution is received which causes the aggregate total of anonymous
37 contributions to exceed the foregoing limitation, it shall be returned immediately to the
38 contributor, if the contributor's identity can be ascertained, and, if the contributor's identity
39 cannot be ascertained, the committee treasurer, deputy treasurer or candidate shall immediately
40 transmit the anonymous contribution to the state treasurer to escheat to the state.

41 6. Notwithstanding the provisions of subsection 5 of this section, contributions from
42 individuals whose names and addresses cannot be ascertained which are received from a

43 fund-raising activity or event, such as defined in section 130.011, shall not be deemed
44 anonymous contributions, provided the following conditions are met:

45 (1) There are twenty-five or more contributing participants in the activity or event;

46 (2) The candidate, committee treasurer, deputy treasurer or the person responsible for
47 conducting the activity or event makes an announcement that it is illegal for anyone to make or
48 receive a contribution in excess of one hundred dollars unless the contribution is accompanied
49 by the name and address of the contributor;

50 (3) The person responsible for conducting the activity or event does not knowingly
51 accept payment from any single person of more than one hundred dollars unless the name and
52 address of the person making such payment is obtained and recorded pursuant to the
53 record-keeping requirements of section 130.036;

54 (4) A statement describing the event shall be prepared by the candidate or the treasurer
55 of the committee for whom the funds were raised or by the person responsible for conducting the
56 activity or event and attached to the disclosure report of contributions and expenditures required
57 by section 130.041. The following information to be listed in the statement is in addition to, not
58 in lieu of, the requirements elsewhere in this chapter relating to the recording and reporting of
59 contributions and expenditures:

60 (a) The name and mailing address of the person or persons responsible for conducting
61 the event or activity and the name and address of the candidate or committee for whom the funds
62 were raised;

63 (b) The date on which the event occurred;

64 (c) The name and address of the location where the event occurred and the approximate
65 number of participants in the event;

66 (d) A brief description of the type of event and the fund-raising methods used;

67 (e) The gross receipts from the event and a listing of the expenditures incident to the
68 event;

69 (f) The total dollar amount of contributions received from the event from participants
70 whose names and addresses were not obtained with such contributions and an explanation of
71 why it was not possible to obtain the names and addresses of such participants;

72 (g) The total dollar amount of contributions received from contributing participants in
73 the event who are identified by name and address in the records required to be maintained
74 pursuant to section 130.036.

75 7. No candidate or committee in this state shall accept contributions from any
76 out-of-state committee unless the out-of-state committee from whom the contributions are
77 received has filed a statement of organization pursuant to section 130.021 or has filed the reports
78 required by sections 130.049 and 130.050, whichever is applicable to that committee.

79 8. Any person publishing, circulating, or distributing any printed matter relative to any
80 candidate for public office or any ballot measure shall on the face of the printed matter identify
81 in a clear and conspicuous manner the person who paid for the printed matter with the words
82 "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For
83 the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular,
84 handbill, sample ballot, advertisement, including advertisements in any newspaper or other
85 periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered
86 material; but "printed matter" is defined to exclude materials printed and purchased prior to May
87 20, 1982, if the candidate or committee can document that delivery took place prior to May 20,
88 1982; any sign personally printed and constructed by an individual without compensation from
89 any other person and displayed at that individual's place of residence or on that individual's
90 personal motor vehicle; any items of personal use given away or sold, such as campaign buttons,
91 pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a
92 candidate or committee which supports a candidate or supports or opposes a ballot measure and
93 which is obvious in its identification with a specific candidate or committee and is reported as
94 required by this chapter; and any news story, commentary, or editorial printed by a regularly
95 published newspaper or other periodical without charge to a candidate, committee or any other
96 person.

97 (1) In regard to any printed matter paid for by a candidate from the candidate's personal
98 funds, it shall be sufficient identification to print the first and last name by which the candidate
99 is known.

100 (2) In regard to any printed matter paid for by a committee, it shall be sufficient
101 identification to print the name of the committee as required to be registered by subsection 5 of
102 section 130.021 and the name and title of the committee treasurer who was serving when the
103 printed matter was paid for.

104 (3) In regard to any printed matter paid for by a corporation or other business entity,
105 labor organization, or any other organization not defined to be a committee by subdivision (7)
106 of section 130.011 and not organized especially for influencing one or more elections, it shall
107 be sufficient identification to print the name of the entity, the name of the principal officer of the
108 entity, by whatever title known, and the mailing address of the entity, or if the entity has no
109 mailing address, the mailing address of the principal officer.

110 (4) In regard to any printed matter paid for by an individual or individuals, it shall be
111 sufficient identification to print the name of the individual or individuals and the respective
112 mailing address or addresses, except that if more than five individuals join in paying for printed
113 matter it shall be sufficient identification to print the words "For a list of other sponsors contact:"
114 followed by the name and address of one such individual responsible for causing the matter to

115 be printed, and the individual identified shall maintain a record of the names and amounts paid
116 by other individuals and shall make such record available for review upon the request of any
117 person. No person shall accept for publication or printing nor shall such work be completed until
118 the printed matter is properly identified as required by this subsection.

119 9. Any broadcast station transmitting any matter relative to any candidate for public
120 office or ballot measure as defined by this chapter shall identify the sponsor of such matter as
121 required by federal law.

122 10. The provisions of subsection 8 or 9 of this section shall not apply to candidates for
123 elective federal office, provided that persons causing matter to be printed or broadcast
124 concerning such candidacies shall comply with the requirements of federal law for identification
125 of the sponsor or sponsors.

126 11. It shall be a violation of this chapter for any person required to be identified as
127 paying for printed matter pursuant to subsection 8 of this section or paying for broadcast matter
128 pursuant to subsection 9 of this section to refuse to provide the information required or to
129 purposely provide false, misleading, or incomplete information.

130 12. It shall be a violation of this chapter for any committee to offer chances to win prizes
131 or money to persons to encourage such persons to endorse, send election material by mail,
132 deliver election material in person or contact persons at their homes; except that, the provisions
133 of this subsection shall not be construed to prohibit hiring and paying a campaign staff.

134 **13. No statewide office holder shall accept any donation from any person whom the**
135 **statewide office holder appoints with the advice and consent of the senate, and no person**
136 **accepting any appointment by the governor with the advice and consent of the senate, nor**
137 **the appointee's spouse, or any business in which the appointee or the appointee's spouse**
138 **holds a substantial interest shall be solicited by the statewide office holder to make any**
139 **contribution to or engage in any fund-raising activity or fund-raising event for the**
140 **statewide office holder during and for one hundred eighty days after the appointment ends.**
141 **The ethics commission may promulgate rules to determine what penalties shall be imposed**
142 **for a violation of this section.**

143 **14. No individual or business entity shall make any gift, donation, or contribution**
144 **of any kind to any candidate committee or any state political party committee that makes**
145 **expenditures on behalf of the statewide office holder, any executive department director**
146 **or employee, or any state agency as defined in chapter 536, when that individual or**
147 **business entity has an application, bid, or request for a state grant, loan, appropriation,**
148 **contract, collective bargaining agreement, award, permit other than matters involving a**
149 **driver's license, job, action, appointment, proceeding, or agreement pending before the**
150 **department, state agency, commission, or elected official requiring a decision or**

151 **determination. No statewide office holder shall solicit contributions from an individual or**
152 **business while such individual or business entity has an application, bid, or request for a**
153 **state grant, loan, appropriation, contract, award, permit other than matters involving a**
154 **driver's license, job, action, appointment, proceeding, or agreement, including a collective**
155 **bargaining agreement, pending before the department, state agency, commission, or elected**
156 **official requiring a decision or determination.**

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