

SECOND REGULAR SESSION

# HOUSE BILL NO. 2039

## 95TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES KRAUS (Sponsor) AND DUSENBERG (Co-sponsor).

4761L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 105.450, 105.456, 130.031, and 130.057, RSMo, and to enact in lieu thereof seven new sections relating to ethics, with penalty provisions.

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

Section A. Sections 105.450, 105.456, 130.031, and 130.057, RSMo, are repealed and  
2 seven new sections enacted in lieu thereof, to be known as sections 8.925, 105.450, 105.456,  
3 105.465, 130.031, 130.032, and 130.057, to read as follows:

**8.925. No solicitation of expenditures, as defined in section 130.011, or fund-raising  
2 activities or fund-raising event, as defined in section 130.011, supporting or opposing any  
3 candidate, ballot measure, political party, or political party committee shall occur on any  
4 property or in any building owned or leased by the state or any political subdivision.**

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

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.

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

55 **4. No statewide elected official, member of the general assembly, or staff member**  
56 **or employee of any statewide elected official or member of the general assembly shall**  
57 **perform any services for any political campaign other than the statewide elected official's**  
58 **or the member's campaign. No individual holding office as a statewide elected official or**  
59 **a state representative or state senator shall accept or receive compensation of any kind as**  
60 **a paid political consultant for another individual holding the office of state representative,**  
61 **state senator, governor, lieutenant governor, attorney general, secretary of state, state**  
62 **treasurer, or state auditor, or for any campaign committee, candidate committee,**  
63 **continuing committee, or political party committee as defined in chapter 130, nor shall any**  
64 **spouse, dependent child, or parent accept or receive compensation of any kind on behalf**  
65 **of any individual holding office as a statewide elected official or a state representative or**  
66 **state senator who acts as a paid political consultant.**

67 **5. No member of the general assembly shall act, serve, or register as a legislative**  
68 **lobbyist as defined in section 105.470 while serving as a member of the general assembly**  
69 **or within two years after leaving office.**

**105.465. Any person who intentionally offers or accepts any item, service, or thing**  
2 **of value, including a contribution as defined in section 130.011, to any elected or appointed**  
3 **official or employee of the state or any political subdivision in direct exchange for voting**  
4 **in favor of, voting against, or engaging in any legislative, executive, or judicial course of**  
5 **action designed to benefit, delay, or hinder the passage or failure of any specific state**  
6 **legislation, rule, or regulation, or any specific local legislation, order, ordinance, rule, or**  
7 **regulation, shall be guilty of a class D felony.**

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 committee shall transfer any funds received by the committee to any other**  
135 **committee. Any person who transfers or attempts to transfer funds from a committee to**  
136 **any other committee with the intent to conceal the identity of the actual source of the funds**  
137 **shall be guilty of a class D felony.**

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

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

6 **(2) To elect an individual to the office of state senator, one thousand dollars;**

7 **(3) To elect an individual to the office of state representative, five hundred dollars;**

8 **(4) To elect an individual to any other office, including judicial office, if the**  
9 **population of the electoral district, ward, or other unit according to the latest decennial**  
10 **census is under one hundred thousand, three hundred twenty-five dollars;**

11 **(5) To elect an individual to any other office, including judicial office, if the**  
12 **population of the electoral district, ward, or other unit according to the latest decennial**

13 census is at least one hundred thousand but less than two hundred fifty thousand, six  
14 hundred fifty dollars; and

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

19 2. For purposes of this subsection, "base year amount" shall be the contribution  
20 limits prescribed in this section on January 1, 2011. Such limits shall be increased on the  
21 first day of January in each even-numbered year by multiplying the base year amount by  
22 the cumulative consumer price index, as defined in section 104.010 and rounded to the  
23 nearest twenty-five-dollar amount, for all years since January 1, 2011.

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

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

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

30 (3) To elect an individual to the office of state representative, five hundred dollars;  
31 and

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

34

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

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

46 5. No continuing committee shall make any contributions to any continuing  
47 committee or any candidate committee.

130.057. 1. In order for candidates for election and public officials to more easily file reports required by law and to access information contained in such reports, and for the Missouri ethics commission to receive and store reports in an efficient and economical method, and for the general public and news media to access information contained in such reports, the commission shall establish and maintain an electronic reporting system pursuant to this section.

2. The ethics commission [may establish for elections in 1996 and] shall establish for elections and all required reporting beginning in 1998 and maintain thereafter a state campaign finance and financial interest disclosure electronic reporting system pursuant to this section for all candidates required to file. The system may be used for the collection, filing and dissemination of all reports, including monthly lobbying reports filed by law, and all reports filed with the commission pursuant to this chapter and chapter 105, RSMo. The system may be established and used for all reports required to be filed for [the primary and general elections in 1996 and] all elections [thereafter, except that the system may require maintenance of a paper backup system for the primary and general elections in 1996]. The reports shall be maintained and secured in the electronic format by the commission.

3. When the commission determines that the electronic reporting system has been properly implemented, the commission shall certify to all candidates and committees required to file pursuant to this chapter that such electronic reporting system has been established and implemented. **Except as provided in subsection 8 of this section**, beginning with the primary and general elections in 2000, or the next primary or general election in which the commission has made certification pursuant to this subsection, whichever is later, candidates and all other committees shall file reports by using either the electronic format prescribed by the commission or paper forms provided by the commission for that purpose. Continuing committees shall file reports by electronic format prescribed by the commission[, except continuing committees which make contributions equal to or less than fifteen thousand dollars in the applicable calendar year. Any continuing committee which makes contributions in support of or opposition to any measure or candidate equal to or less than fifteen thousand dollars in the applicable calendar year shall file reports on paper forms provided by the commission for that purpose or by electronic format prescribed by the commission, whichever reporting method the continuing committee chooses]. The commission shall supply a computer program which shall be used for filing by modem or by a common magnetic media chosen by the commission. In the event that filings are performed electronically, the candidate shall file a signed original written copy within five working days; except that, if a means becomes available which will allow a verifiable electronic signature, the commission may also accept this in lieu of a written statement.

4. Beginning January 1, 2000, or on the date the commission makes the certification pursuant to subsection 3 of this section, whichever is later, all reports filed with the commission

37 by any candidate for a statewide office, or such candidate's committee, shall be filed in electronic  
38 format as prescribed by the commission; provided however, that if a candidate for statewide  
39 office, or such candidate's committee receives or spends five thousand dollars or less for any  
40 reporting period, the report for that reporting period shall not be required to be filed  
41 electronically.

42 5. A copy of all reports filed in the state campaign finance electronic reporting system  
43 shall be placed on a public electronic access system so that the general public may have open  
44 access to the reports filed pursuant to this section. The access system shall be organized and  
45 maintained in such a manner to allow an individual to obtain information concerning all  
46 contributions made to or on behalf of, and all expenditures made on behalf of, any public official  
47 described in subsection 2 of this section **or any committee required to file disclosure reports**  
48 **electronically under subsection 8 of this section** in formats that will include both written and  
49 electronically readable formats.

50 6. All records that are in electronic format, not otherwise closed by law, shall be  
51 available in **an easily accessible and searchable** electronic format to the public. The  
52 commission shall maintain and provide for public inspection, a listing of all reports with a  
53 complete description for each field contained on the report, that has been used to extract  
54 information from their database files. The commission shall develop a report or reports which  
55 contain every field in each database.

56 7. Annually, the commission shall provide, without cost, a system-wide dump of  
57 information contained in the commission's electronic database files to the general assembly. The  
58 information is to be copied onto a medium specified by the general assembly. Such information  
59 shall not contain records otherwise closed by law. It is the intent of the general assembly to  
60 provide open access to the commission's records. The commission shall make every reasonable  
61 effort to comply with requests for information and shall take a liberal interpretation when  
62 considering such requests.

63 8. **Beginning August 28, 2010, all committees shall file any required disclosure**  
64 **report in an electronic format as prescribed by the commission.**

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