

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270,
Page 8, Section 115.293, Line 11, by inserting after all of said line the following:

“130.021. 1. Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state and serve in the capacity of committee treasurer in the event the committee treasurer is unable for any reason to perform the treasurer's duties.

2. Every candidate for offices listed in subsection 1 of section 130.016 who has not filed a statement of exemption pursuant to that subsection and every candidate for offices listed in subsection 6 of section 130.016 who is not excluded from filing a statement of organization and disclosure reports pursuant to subsection 6 of section 130.016 shall form a candidate committee and appoint a treasurer. Thereafter, all contributions on hand and all further contributions received by such candidate and any of the candidate's own funds to be used in support of the person's candidacy shall be deposited in a candidate committee depository account established pursuant to the provisions of subsection 4 of this section, and all expenditures shall be made through the candidate, treasurer or deputy treasurer of the person's candidate committee. Nothing in this chapter shall prevent a candidate from appointing himself or herself as a committee of one and serving as the person's own treasurer, maintaining the candidate's own records and filing all the reports and statements required to be filed by the treasurer of a candidate committee.

3. A candidate who has more than one candidate committee supporting the person's candidacy shall designate one of those candidate committees as the committee responsible for consolidating the aggregate contributions to all such committees under the candidate's control and direction as required by section 130.041. No person shall form a new committee or serve as a deputy treasurer of any committee as defined in section 130.011 until the person or the treasurer of any committee previously formed by the person or where the person served as treasurer or deputy treasurer has filed all required campaign disclosure reports and statements of limited activity for all prior elections and paid outstanding previously imposed fees assessed against that person by the ethics commission.

4. (1) Every committee shall have a single official fund depository within this state which

1 shall be a federally or state-chartered bank, a federally or state-chartered savings and loan
2 association, or a federally or state-chartered credit union in which the committee shall open and
3 thereafter maintain at least one official depository account in its own name. An "official
4 depository account" shall be a checking account or some type of negotiable draft or negotiable
5 order of withdrawal account, and the official fund depository shall, regarding an official
6 depository account, be a type of financial institution which provides a record of deposits, canceled
7 checks or other canceled instruments of withdrawal evidencing each transaction by maintaining
8 copies within this state of such instruments and other transactions. All contributions which the
9 committee receives in money, checks and other negotiable instruments shall be deposited in a
10 committee's official depository account. Contributions shall not be accepted and expenditures
11 shall not be made by a committee except by or through an official depository account and the
12 committee treasurer, deputy treasurer or candidate. Contributions received by a committee shall
13 not be commingled with any funds of an agent of the committee, a candidate or any other person,
14 except that contributions from a candidate of the candidate's own funds to the person's candidate
15 committee shall be deposited to an official depository account of the person's candidate
16 committee. No expenditure shall be made by a committee when the office of committee treasurer
17 is vacant except that when the office of a candidate committee treasurer is vacant, the candidate
18 shall be the treasurer until the candidate appoints a new treasurer.

19 (2) A committee treasurer, deputy treasurer or candidate may withdraw funds from a
20 committee's official depository account and deposit such funds in one or more savings accounts in
21 the committee's name in any bank, savings and loan association or credit union within this state,
22 and may also withdraw funds from an official depository account for investment in the
23 committee's name in any certificate of deposit, bond or security. Proceeds from interest or
24 dividends from a savings account or other investment or proceeds from withdrawals from a
25 savings account or from the sale of an investment shall not be expended or reinvested, except in
26 the case of renewals of certificates of deposit, without first redepositing such proceeds in an
27 official depository account. Investments, other than savings accounts, held outside the
28 committee's official depository account at any time during a reporting period shall be disclosed by
29 description, amount, any identifying numbers and the name and address of any institution or
30 person in which or through which it is held in an attachment to disclosure reports the committee is
31 required to file. Proceeds from an investment such as interest or dividends or proceeds from its
32 sale, shall be reported by date and amount. In the case of the sale of an investment, the names and
33 addresses of the persons involved in the transaction shall also be stated. Funds held in savings
34 accounts and investments, including interest earned, shall be included in the report of money on
35 hand as required by section 130.041.

36 5. The treasurer or deputy treasurer acting on behalf of any person or organization or

1 group of persons which is a committee by virtue of the definitions of committee in section
2 130.011 and any candidate who is not excluded from forming a committee in accordance with the
3 provisions of section 130.016 shall file a statement of organization with the appropriate officer
4 within twenty days after the person or organization becomes a committee but no later than the date
5 for filing the first report required pursuant to the provisions of section 130.046. The statement of
6 organization shall contain the following information:

7 (1) The name, mailing address and telephone number, if any, of the committee filing the
8 statement of organization. If the committee is deemed to be affiliated with a connected
9 organization as provided in subdivision (10) of section 130.011, the name of the connected
10 organization, or a legally registered fictitious name which reasonably identifies the connected
11 organization, shall appear in the name of the committee. If the committee is a candidate
12 committee, the name of the candidate shall be a part of the committee's name;

13 (2) The name, mailing address and telephone number of the candidate;

14 (3) The name, mailing address and telephone number of the committee treasurer, and the
15 name, mailing address and telephone number of its deputy treasurer if the committee has named a
16 deputy treasurer;

17 (4) The names, mailing addresses and titles of its officers, if any;

18 (5) The name and mailing address of any connected organizations with which the
19 committee is affiliated;

20 (6) The name and mailing address of its depository, and the name and account number of
21 each account the committee has in the depository. The account number of each account shall be
22 redacted prior to disclosing the statement to the public;

23 (7) Identification of the major nature of the committee such as a candidate committee,
24 campaign committee, political action committee, political party committee, incumbent committee,
25 or any other committee according to the definition of committee in section 130.011;

26 (8) In the case of the candidate committee designated in subsection 3 of this section, the
27 full name and address of each other candidate committee which is under the control and direction
28 of the same candidate, together with the name, address and telephone number of the treasurer of
29 each such other committee;

30 (9) The name and office sought of each candidate supported or opposed by the committee;

31 (10) The ballot measure concerned, if any, and whether the committee is in favor of or
32 opposed to such measure.

33 6. A committee may omit the information required in subdivisions (9) and (10) of
34 subsection 5 of this section if, on the date on which it is required to file a statement of
35 organization, the committee has not yet determined the particular candidates or particular ballot
36 measures it will support or oppose.

1 7. A committee which has filed a statement of organization and has not terminated shall
2 not be required to file another statement of organization, except that when there is a change in any
3 of the information previously reported as required by subdivisions (1) to (8) of subsection 5 of this
4 section an amended statement of organization shall be filed within twenty days after the change
5 occurs, but no later than the date of the filing of the next report required to be filed by that
6 committee by section 130.046.

7 8. Upon termination of a committee, a termination statement indicating dissolution shall
8 be filed not later than ten days after the date of dissolution with the appropriate officer or officers
9 with whom the committee's statement of organization was filed. The termination statement shall
10 include: the distribution made of any remaining surplus funds and the disposition of any deficits;
11 and the name, mailing address and telephone number of the individual responsible for preserving
12 the committee's records and accounts as required in section 130.036.

13 9. Any statement required by this section shall be signed and attested by the committee
14 treasurer or deputy treasurer, and by the candidate in the case of a candidate committee.

15 10. A committee domiciled outside this state shall not be required to file a statement of
16 organization and appoint a treasurer residing in this state and open an account in a depository
17 within this state[]; provided that either of the following conditions prevails:

18 (1) The aggregate of all contributions received from persons domiciled in this state
19 exceeds twenty percent in total dollar amount of all funds received by the committee in the
20 preceding twelve months; or

21 (2) The aggregate of all contributions and expenditures made to support or oppose
22 candidates and ballot measures in this state exceeds one thousand five hundred dollars in the
23 current calendar year].

24 11. If a committee domiciled in this state receives a contribution of one thousand five
25 hundred dollars or more from any committee domiciled outside of this state, the committee
26 domiciled in this state shall file a disclosure report with the commission. The report shall disclose
27 the full name, mailing address, telephone numbers and domicile of the contributing committee
28 and the date and amount of the contribution. The report shall be filed within forty-eight hours of
29 the receipt of such contribution if the contribution is received after the last reporting date before
30 the election.”; and

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32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.
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